

Policy Brief

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Lessons on public participation from the UK shale gas controversy



SUMMARY

The tensions that emerged between delivering energy infrastructure and giving the public and local communities a say in decision-making during the UK shale gas controversy offer a number of important lessons both for any renewed attempt to develop a domestic shale gas industry and as the UK looks toward the infrastructure required for Net Zero.

University of Sussex researchers investigated formal public participation in UK shale gas decision-making in order to understand the nature and extent of the participatory opportunity on offer and learn what participants thought about these exercises.

This policy brief summarises the findings of this work and makes four recommendations to institutions that oversee formal participatory processes on energy infrastructure.

KEY FINDINGS

- Formal opportunities for public participation in decision-making on shale gas development in the UK were generally restricted to a narrow range of issues and offered only limited scope for public influence
- Formal participatory processes were largely limited to the consideration of the impacts of particular sites, or to inviting public views on policy interventions that aimed to help achieve the policy goal of establishing a domestic shale gas industry
- There was a mismatch between the expectations that many members of the public had about participating in decision-making processes and the institutional realities of such exercises in practice, resulting in public cynicism and frustration
- An 'early and broad' approach to public participation for Net Zero infrastructure would provide an early and clear picture of the public acceptability challenge, build trust in the government's approach, shape policy to be more attuned to public values, and provide legitimacy for policy and any associated infrastructure requirements

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COMPARING THE UK AND SCOTTISH APPROACHES TO PUBLIC PARTICIPATION

Looking across four different types of formal public participation (the planning system, environmental permitting consultation, policy consultation, and a series of dialogue workshops conducted for the Department of Energy Climate Change) and 31 separate exercises, the researchers found that – in general - these participatory processes provided only limited scope for public influence, with a narrow range of issues typically open for consideration.

Broader debates about shale policy, its reconcilability with climate change targets and the social desirability of a shale gas industry were not usually accommodated within these processes, which instead focused on the site-specific impacts of particular applications (the planning system and environmental permitting consultation) or narrow ‘how’ questions of implementation (policy consultation and dialogue workshops). Such broader debates, having already been settled by the government, could not be reopened for public scrutiny through the participatory processes on offer, especially prior to the 2019 moratorium.

The exception here was the Scottish Government’s ‘Talking Fracking’ consultation exercise, which focused very broadly on onshore unconventional hydrocarbons and the impacts of exploiting them. This consultation occurred during a moratorium prior to any policy commitment for or against shale development from the government and went on to influence the Scottish Government’s policy decision on shale development. In contrast, public consultation in England occurred after the UK Government had already committed to a policy of encouraging the development of a domestic industry. These consultations often engaged the public in questions of how a particular intervention aimed at helping to achieve this policy goal should be implemented, and regularly resulted in policy proposals and legislative reforms being taken forward despite widespread opposition being expressed through such exercises.

Fylde community perspectives

The restrictiveness of what was up for debate and the limited scope for influence across these processes were reflected in the frustrations of many of those who had participated in them. Interviews with Fylde community members with experience of participating in such processes revealed that many saw them as performative ‘tick-box exercises’. There was therefore widespread cynicism about the scope for public influence through participation and a general perception of a lack of institutional responsiveness to their concerns amongst many Fylde community members:

What I found out very quickly is that the idea of public consultation is one of those things, it sounds wonderful. And let's have localism, let's have all this and then the government can tick the box and say we've done that. The actual effect you can have is minimal... So yeah, it's a box ticking exercise. The government had no intention of listening to anybody over anything (anon, rural Fylde, anti-fracking)

Many community members also expressed frustration that certain issues seemed to not be ‘on the table’ for serious consideration within participatory processes:

They didn't seem to be allowed to consider the health impacts. So if it was a problem with noise, a problem with traffic, or that sort of thing. Those are real planning considerations but if it's an issue with what might happen to the health of the people living close by, that seems to be given less consideration and it doesn't seem to be taken into account. It just seems totally wrong. (anon, rural Fylde, anti-fracking)

‘EARLY AND BROAD’ OVER ‘LATE AND NARROW’

Being more ambitious on public participation requires an ‘early and broad’ approach, rather than the ‘late and narrow’ approach seen in the shale gas case. This means conducting public participation on the broad question of ‘do we need or want this?’ prior to any government policy decision. Such a process may at the very least provide a clear articulation of the public acceptability challenge, and potentially deter a government from embarking on a costly and wasteful policy failure.

The utility of public participation as a tool for revealing (rather than necessarily shaping) the public acceptability of energy infrastructure is made obvious by the above comparison between the UK and Scottish Governments’ approaches to public participation in shale development decision-making.

The Scottish Government decided against pursuing a domestic shale gas industry on the basis of the overwhelmingly negative responses of those that took part in their consultation exercise. The UK Government, on the other hand, decided to pursue a shale gas industry without facilitating an equivalent public debate. Whilst ultimately failing to deliver a shale gas industry, this approach expended a good deal of time, attention and money; got bogged down in planning disputes due to strong local opposition; and generated a fair amount of anger and alienation within local communities.

However, ‘early and broad’ public participation doesn’t necessarily have to risk the delivery of essential infrastructure. Depending on their design and framing, such processes can be geared toward revealing public priorities and deliberating trade-offs across a range of technical and behavioural options, rather than merely saying yes or no to a particular form of infrastructure. They also don’t need to be limited to a self-selecting group of participants, as was the case with the Scottish Government’s shale gas consultation. They could alternatively employ intentional sampling strategies to better reflect the public at large, and in fact doing so would enhance the legitimacy of such processes.

There was therefore a mismatch between the expectations that some members of the public had about their level of influence and the kinds of debates they wanted to have, and the institutional realities of the formal participatory opportunities actually available. Whilst there was clear desire to participate on broader policy questions, there were no formal processes that could accommodate such debates (in England), so narrower processes were inundated with comments that went beyond their remit – causing frustration on all sides.



Anti-fracking placards adorn the fencing around the entrance to Cuadrilla’s PNR site, Lancashire, April 2019. Source: Sovacool et al, 2020 (CC BY 4.0).

LESSONS FOR NET ZERO INFRASTRUCTURE

Looking forward to Net Zero infrastructure, obvious lessons aimed at trying to prevent public frustration, cynicism and a wasted effort include the need for improved communication and public awareness of the types of issues and arguments that are within the scope of particular processes, and clear case studies of public influence achieved through participatory processes. Such lessons are of particular relevance to institutions tasked with designing and implementing public participation processes, such as the Environment Agency, planning authorities, and government departments.

More generally, and at the very least, clarity and setting realistic expectations about the public’s role in policy and decision-making on Net Zero infrastructure will be important.

In the shale development case, the UK Government overpromised through its localism agenda and then, having set expectations high, proceeded to underdeliver. If such infrastructure is truly essential, then this has important implications for the purpose of public participation, which becomes about where and how, rather than whether. Clarity on this will at least help to avoid the overpromise-underdeliver dynamic seen in the shale gas case.

These lessons also apply to any renewed attempt to develop a shale gas industry in the UK.

Figure 1: Comparing the UK and Scottish approaches to public consultation on shale development policy



BENEFITS OF ‘EARLY AND BROAD’ PUBLIC PARTICIPATION

There would be three main benefits of adopting an ‘early and broad’ approach, which would help to avoid some of the mistakes made in the shale gas case:

- An ‘early and broad’ approach sends an important signal that the government are listening to public views rather than ploughing on with a favoured approach irrespective of them. How the government is seen to be pursuing a policy is an important factor in people’s attitudes toward that policy.
- Such an approach may result in a policy that is better attuned to public values and priorities, which may therefore result in lower levels of opposition further downstream when it comes to securing permission for particular sites.
- Even in the face of opposition further downstream, such an approach would provide an important source of legitimacy for the resulting policy and buttress the claim that such infrastructure is in the national interest with the crucial addendum that the public were given the opportunity to play an active role in identifying the infrastructure that we must collectively host.

CONCLUSION

In the shale development case, the UK government felt that technical risk, resource, and economic assessments provided sufficient justification for their shale gas policy without the need for ‘early and broad’ public participation – as it turned out in practice, however, this was demonstrably not the case.

Achieving Net Zero will require both a considerable amount of new infrastructure and vast quantities public buy-in. In seeking to achieve both of these aims simultaneously, it is crucial that policymakers learn from and avoid repeating the mistakes made in the shale gas case.

RECOMMENDATIONS

- Institutions tasked with designing and implementing public participation in decision- and policy-making on energy infrastructure should clearly communicate the kinds of issues and arguments that will be considered within the scope of particular processes to the public prior to the beginning of that process.
- To demonstrate the scope for public influence, where available, case studies of public influence on decision-making achieved through particular public participation processes should be identified and communicated to the public.
- To set realistic expectations, the purpose of any particular participatory process and the public role within it should be clearly communicated to the public prior to the beginning of that process.
- Institutions tasked with designing and implementing public participation in decision- and policy-making on energy infrastructure should adopt an ‘early and broad’ approach to public participation for Net Zero infrastructure.

This briefing was based on the following paper:

Williams, L., Martin, A. and Stirling, A. 2022. ‘Going through the dance steps’: Instrumentality, frustration and performativity in processes of formal public participation in decision-making on shale development in the United Kingdom. *Energy Research and Social Science*, 92: 102796. <https://doi.org/10.1016/j.erss.2022.102796>

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The image on pg.3 was originally published in:

B.K. Sovacool, L. Williams, A. Martin, J. Axsen, Humanizing hydrocarbon frontiers: the “lived experience” of shale gas fracking in the United Kingdom’s Fylde communities, *Local Environ.* 25 (2020) 944–966. <https://doi.org/10.1080/13549839.2020.1849076>.

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