

# Informal strategies of power in the local planning system

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## Abstract

Existing studies that question the role of planning as a state institution, whose interests it serves together with those disputing the merits of collaborative planning are all essentially concerned with the broader issue of power in society. Although there have been various attempts to highlight the distorting effects of power, the research emphasis to date has been focused on the operation of power within the formal structures that constitute the planning system. As a result, relatively little attention has been attributed to the informal strategies or tactics that can be utilised by powerful actors to further their own interests. This paper seeks to address this gap by identifying the informal strategies used by the holders of power to bypass the formal structures of the planning system and highlight how these procedures are to a large extent systematic and (almost) institutionalised in a shadow planning system. The methodology consists of a series of semi-structured qualitative interviews with 20 urban planners working across four planning authorities within the Greater Dublin Area, Ireland. Empirical findings are offered which highlight the importance of economic power in the emergence of what essentially constitutes a shadow planning system. More broadly, the findings suggest that much more cognisance of the structural relations that govern how power is distributed in society is required and that 'light touch' approaches that focus exclusively on participation and deliberation need to be replaced by more radical solutions that look towards the redistribution of economic power between stakeholders.

## Keywords

Neoliberalisation, informal planning, collaborative planning, planning and the state, political economy, power, urban planning

## Introduction

The issue of power in the planning system has featured in various segments of the literature, Ranging from some of the classic discussions on the role of planning and whose interests it ultimately serves (see Scott and Roweis, 1977; Kirk, 1980; Dear and Scott, 1981; Knox and Cullen, 1981; Cooke, 1983; Harvey, 1985), to debates on the emancipatory potential of collaborative approaches as a means to limit the distorting effects of power in the planning system (see Healey, 1997; 2003; Innes, 1996; 2004). With regard to the former, various theories and perceptions surrounding the role of the state and urban planning as a state activity have been established, all of which have differing viewpoints regarding the distribution of power in society (i.e. pluralist, managerialist, reformist and Marxist political economy) (see Kirk, 1980; Sandercock, 1998; MacLaran and McGuirk, 2003). Whilst pluralist perceptions of power and planning assume that all stakeholders have equal power to assert their stake regardless of their resource levels, Marxist political economy perceptions place a greater emphasis on the structural relations that govern the distribution of power in society and argue that class interests consistently dominate in practice (Watson and Gibson,

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1995). Marxist political economy perceptions of planning thus reject the traditional view of planning as a progressive, apolitical, technocratic discipline that serves the common good.

At the empirical level, many have highlighted the regressive nature of planning which tends to favour dominant economic interests at the expense of less powerful groups (see McGuirk, 1995; Flyvbjerg, 1998; Fox-Rogers et al., 2011). In this regard, McGuirk (1995) elucidates the powerful position of developers relative to the general public which hinders effective public participation, whilst Fox-Rogers et al. (2011) have demonstrated the extent to which planning legislation is geared specifically towards the interests of the holders of economic power. Flyvbjerg's (1998) landmark study of power and planning in Aalborg also demonstrated the ability of powerful groups to exercise power over the planning process by adopting a strategy of rationalisation (presented as rationality) to serve their own interests at the expense of others.

Debates surrounding the merits of collaborative planning approaches are also intrinsically linked to issues concerning the operation of power. These approaches adopt a pluralist understanding of power on the basis that they assume competing stakeholders are equally placed to shape the discussion and reach shared decisions through deliberation and participation (see Healey, 1997; 2003; Innes, 1996; 2004). For collaborative planners, power is viewed as something that can be overcome by acknowledging and setting aside the presence of power relations that may inhibit certain actors from effectively asserting their stake during the collaborative process. However, a number of scholars have criticised what they see to be the naivety of such approaches in terms of their failure to deal adequately with the structural constraints that shape power relations (see Tewdwr-Jones and Allmendinger, 1998; Tewdwr-Jones and Thomas, 1998; Watson, 1998; Neuman, 2000; McGuirk, 2001; Harris, 2002; Abu-Orf, 2005), whilst others highlight that such approaches rarely achieve "harmonious consensus" (Hillier, 2003). Indeed, various studies have demonstrated that the ability of stakeholders to participate in and shape the collaborative process is largely determined by the availability of resources available to them (i.e. economic power) with such practices often resulting in "the continued dominance of the already powerful" (Fainstein, 2000:458). Furthermore academics such as Purcell (2009) and Gunder (2010) have highlighted that the ideas of collaborative planning now occupy a hegemonic position in planning theory. Gunder (2010) emphasises the importance of ideological critique in this regard, not least because collaborative approaches have proved attractive ways for "neoliberals to maintain hegemony while ensuring political stability (Purcell, 2009:140).

Despite the value of the broad range of theoretical and empirical enquiries that have shed light on the key distorting influences that can lead to power imbalances between competing stakeholders in the planning system, Hillier (2000:34) rightly identifies that the research emphasis to date has been focused on "communicative relationships between actors in *formal processes* of public participation" (emphasis added). Although Hillier (*Ibid*) attempts to address this gap by highlighting the importance of informal networks outside of the formal participatory structures governing plan-making or policy-making processes, relatively little attention has been attributed to the informal strategies utilised by the holders of power to achieve outcomes that reflect their own vested interests. This paper is concerned specifically with that issue. Using insights from the perspectives of Irish urban planners, we identify the informal strategies used by developers to bypass the formal structures of the planning process and highlight how these procedures are to a large extent systematic and (almost) institutionalised in a shadow planning system. Before doing so, we explore various conceptualisations of power in planning paying specific attention to the tensions between

pluralist and Marxist political economy perceptions and also set out the methodological approach which demonstrates the importance of Ireland as a case study, and provide a brief contextual background to the Irish planning system.

It is important to make it clear from the outset that our understanding of power is rooted in Marxian conceptions of power, which emphasise the exploitative nature of class relations and the inherent links between economic and political power based on the historical origins of the state. We therefore adopt a critical view of power which stresses the importance of ‘power over’ rather than ‘power to’ given the structural constraints that govern how power is distributed in capitalist society (see Hearn, 2012). Drawing on Luke’s (1974) ‘third dimensional view of power’, we define power as the ability of one individual or group to affect another in a manner that disproportionately serves their own interests at the expense of others. Although we focus on the manner in which power can be exercised through action and inaction in this paper, namely the ‘one’ and ‘two’ dimensional views of power (see Lukes, 1974; Hearn, 2012), we also acknowledge that “social conflicts can be latent and not apparent to anyone” (Lukes, 2005 in Hearn, 2012:78), thereby accepting that a ‘third dimension’ exists. Whilst focusing on the exercise of power in the forgoing analysis, we also include analysis into “the basis of its production” (i.e. how power arises) and the nature of its effects (i.e. the manifestation of power), thereby providing a broader account of power and its various guises (see Allen, 2003:95).

## **The conceptualisation of power in planning**

### *The role of the state and planning as state activity*

Issues regarding the operation of power in planning came to the fore in the 1970’s as a series of Marxist inspired political economy critiques began to challenge conventional perceptions of planning. Rooted in the enlightenment tradition of modernity, traditional perceptions of planning view it as an apolitical, value-free, technocratic process serving a common classless interest. Such perceptions are pluralist in nature given that they assume that power is equally distributed in society with the result that individual groups cannot dominate policy making processes (MacLaran and McGuirk, 2003). The belief, therefore, is that higher levels of public participation in the planning system can bring about more equitable planning outcomes. In this sense, the planner’s role is predominantly concerned with settling conflicts that might arise between competing interests in a manner that reflects the common good. This doctrine remains prevalent today with many considering the planning system as being a democratic state institution that is equally accessible to all stakeholders and functions in a neutral manner to guarantee the most equitable planning outcomes.

Marxist political economy perceptions of the planning system on the other hand argue that planning is not an autonomous activity that ‘referees’ between equally powerful stakeholders. Instead, it questions the ability of the state to act as a politically neutral institution given its historical origins in class conflict and the regulation of property ownership. Regarded as a vital development in revealing the structural drivers shaping planning practice (Healey, 2003), the approach highlights that planning as a state activity must be functional to capitalism by ensuring that the existing power base in society is protected and maintained (see Scott and Roweis, 1977; Blowers, 1980; Kirk, 1980; Dear and Scott, 1981; Knox and Cullen, 1981; Cooke, 1983). As asserted by Paul (1917: 95, emphasis original):

*“Nominally it administers in the name of society, but in reality it only seeks to preserve the domination of the master class of any period. ”*

Thus, rather than being custodians of the public interest, planners are viewed as state agents that must necessarily favour powerful economic interests rather than the common good. In this regard, the power of individuals or groups to shape planning outcomes in a manner that serves their own vested interests is inherently linked to their economic power. Such conceptions raise serious doubts surrounding the democratic nature of planning and undermine the notion that formal planning structures such as participatory exercises offer an effective means of ensuring that powerful interests do not dominate in the shaping of planning outcomes. Indeed, many academics have stressed the importance of resource inequities between groups or individuals in distorting the outcomes reached in participatory processes and the failure of planning to address such issues (see Arnstein, 1969; Watson and Gibson, 1995). As succinctly put by Blowers (1980:15), “planning has rarely been perceived and has still more rarely been used as a deliberative method of intervention to alter the distribution of resources in society”.

The notion of the state and planning as being facilitative of private economic interests is also inherent within the wide body of scholarship that has emphasised the increasingly neoliberal nature of the state and its institutions (Peck and Tickell, 2002; Brenner and Theodore, 2005; Brenner et al., 2010). Within the sphere of urban planning, such trends have been associated with the emergence of increasingly entrepreneurial forms of urban policy and neoliberal modes of urban governance (Squires, 1996; Brindely et al., 1989; Allmendinger, 1997; Sager, 2011). Neoliberalism ‘accords to the state an active role in securing markets, in producing the subjects of and conditions for markets, although it does not think the state should – at least ideally – intervene in the activities of the market’ (Dean, 2008: 48 as cited in Gunder, 2010:299). Brenner et al. (2010:330) have more recently introduced the concept of neoliberalisation over neoliberalism, which they contend is a “variegated form of regulatory restructuring that produces geo-institutional differentiation across places” whilst maintaining “its basic operational logic”. Such scholarship highlights that the restructuring of the state, and thus planning as an institution of the state, must be increasingly understood within the broader and variable processes of neoliberalisation.

### *Participatory Planning and Power*

Collaborative planning efforts have largely emerged as a means of limiting the perverting effects of power in the planning system. Whilst acknowledging that power relations exist in society, the approach essentially seeks to surmount them through ‘communicative action’. The approach involves adopting styles of discussion that enable the points of view of a diverse range of stakeholders to be opened up and explored (Healey, 1996). In order to foster collaborative capacity, Healey (*Ibid*) emphasises the importance of providing arenas that are easily accessible to all those who have a stake. The collaborative planner’s role is that of a facilitator who must “deal with misinformation, the source of communicative distortion” (McGuirk, 2001:198) by recognising and revealing the power relations at play amongst stakeholders in their bid to shape outcomes that serve their own needs. In this respect, collaborative planning approaches have strong pluralist sentiments given the neutral, yet central coordinating role it ascribes to the planner and its faith in reaching collective decisions through deliberation.

However, many have pointed to the theoretical (Tewdwr-Jones and Allmendinger, 1990; Gunder, 2010) and empirical (Tewdwr-Jones and Thomas, 1998; Watson, 1998; Hillier, 2000; Phelps and Tewdwr-Jones, 2000; McGuirk, 2001; Abu-Orf, 2005) weaknesses of collaborative planning efforts. As mentioned above, the core critique levelled at collaborative planning centres on its treatment and understanding of power. This is an “odd claim” according to Healey (2003:113) who claims that both she and Forester (1989) acknowledge that planning is a political activity that carries unequal power relationships. However, various studies have provided evidence to suggest that the provision of an ‘arena’ and the simple recognition of ‘unequal power’ does not radically alter the outcomes of the planning process in a more equitable manner. For instance Pløger (2001: 237) highlights that Norway and Denmark have “institutionalised participative and collaborative planning as the right to be heard and make claims against policy” with the aim of improving local democracy. However, his research concludes that “the ‘consensus’ which emerged, tended to reflect the interests of the powerful to the disadvantage of the powerless” (Atkinson, 1999: 7 as cited in Pløger, 2001: 233). Phelps and Tewdwr-Jones (2000) also found that a range of distorting social actions took place “behind what was presented as collaborative working” in the bid to attract a multinational firm to Wales. Thus, ‘actually existing communicative action’ is very different in theory and practice. By assuming that power bases or ‘communicative distortions’ can be shifted or temporarily set aside through the process of communicative action, the huge power disparities that exist amongst stakeholders in terms of their economic power, education and organisational skills upon entering the collaborative arena tend to be neglected in reality (Arnstein, 1969; Kirk, 1980; Fainstein, 2000; Hibbard and Lurie, 2000; MacLaran and McGuirk, 2003).

Taken together, these issues have meant that collaborative planning approaches can actually exacerbate, rather than limit, existing power imbalances in the planning system (see Fainstein 2000; Purcell, 2009; Gunder, 2010). By failing to recognise that competing stakeholders will inherently seek to distort the communicative process in the ‘fine grain’ of planning practice and that their ability to do so is inherently linked to the resources available to them (i.e. their economic power), the resulting effect is that planning outcomes tend to reflect the interests of power irrespective of whether such deliberation takes place within the collaborative arena or not. Collaborative planning can therefore serve as a legitimising strategy for powerful interests given that it essentially disguises the manner in which power operates, privileges the already powerful, leads to stakeholder ‘burn out’ (Fainstein, 2000), and overemphasises the importance of the process rather than reaching more equitable planning outcomes. It thus seems that the ‘light touch’ approach of changing the institutional framework to allow for an inclusionary open discourse will not on its own guarantee more equitable planning outcomes (Tewdwr-Jones and Allmendinger, 1998). Rather, more radical solutions may be required that deal more effectively with the structure of power in society.

Many of the problems associated with the ideals of consensus formation more generally are recognised within “progressive” conceptions of planning that are “focused on practice” (Healey, 2009:278). Such approaches are broadly referred to as pragmatic planning approaches on the basis that they reanimate the work of neo-pragmatist philosophers such as Rorty and Bernstein (Healey, 2009:278). Whilst such accounts have close parallels to collaborative planning on the basis that they focus on the role of the planner and the use of knowledge as a means of addressing complex problems, they generally reject the normative ideals of consensus formation, instead contending that conflict is inevitable as individuals’ beliefs and views are often incommensurable (Allmendinger, 2002). Pragmatism also draws on postmodernist thinking in its opposition to grand theories and meta-narratives which are

considered to have little immediate relevance to planning practice. Instead pragmatists emphasise the importance of practical solutions to practical problems, wishing to bring about visible results (*Ibid*). Indeed, pragmatism has many variants on the basis of “different interpretations of what it is to be practical in the face of power inequality” (*Ibid*, 2002:131). For instance, Forester’s (1989 in *Ibid*, 2013) critical pragmatism views planning as not only a pragmatic activity, but one which is influenced by power. In this regard, he argues that planners must play an active role in exposing and challenging the distorting influences of power through communication. In doing so he understands planning practice as “distinctively counterhegemonic” (Forester, 1993:6 in Healey, 2009:284). Drawing on postmodern ideas Harper and Stein (1995 in Allmendinger, 2002:125) contend that planners should not seek to conceal differences through consensus-seeking practices and should instead encourage “a plurality of positions” by accepting and encouraging difference. In a similar vein, Hillier (2003), introduces Chantal Mouffe’s concept of ‘agonism’ to understand the issue of non-consensus in planning practice, and uses it as the basis for an alternative approach to public participation, which seeks to address the irreducible nature of difference between certain stakeholders. Pløger (2004:86) similarly highlights that “consensus-striving processes”, have resulted in politicians, planners and planning treating conflicts and disagreements as antagonism, thereby failing to see planning practices as ‘strife’ or a “form of agonism within planning processes”. In this regard, Pløger (2004:87) calls for more openness, temporary solutions and respect for difference and the need to “live with inconsistencies”. It is on the basis of such arguments that Hillier (2008:33) argues for a more pragmatic approach to planning which is based on agonistic engagement. In this regard, she draws on the Deleuzian philosophy, and argues for a multiplanar theory of spatial planning which offers potential to develop: 1) several (or a collective) trajectories or visions for the long term future (i.e. plan(e)s of consistency or immanence); and 2) shorter-term location-specific detailed plans and projects with collaboratively determined tangible goals (i.e. plan(e)s of organization or transcendence). Whilst Hillier (*Ibid*:27) seeks to counter any claims that this is simply “incrementalism in new clothes, broader critiques related the power blindness of pragmatic planning remain inherent within her approach. Moreover, the dialogue used is inaccessible and tends to disguise and/or obfuscate the often overt nature of power in the planning system. So whilst these approaches have succeeded in drawing attention to the inherent conflicts which exist between stakeholders, such positions can be subject to many of the critiques raised above with respect of collaborative planning, not least their failure to attribute sufficient attention to the deeper forces structuring society. In other words, these approaches tend only to tinker around the edges of discussions about the political economy of power and class relations but fail to deal with core issues focusing on the structural inequalities of society reflected in the planning system.

### *Informal networks of power*

It seems that in seeking to highlight the pitfalls of institutionalised structures of public participation, there has been a failure to explore the extent to which powerful interests have developed strategic actions outside of these formal structures<sup>2</sup>. Indeed, alternative tactics may be employed by powerful interests outside of these formal processes:

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<sup>2</sup> Leino and Laine (2011) have highlighted that despite the wide variety of participatory projects in Finnish municipalities, the participants of the general public appear to have remained outside the official planning processes, and many of the new forms of public participation lack any institutional status.

*“As bargaining, decision-making and influencing activities increasingly take place outside of the formal structures and rules of governance, informal, outsider or noninstitutional activities are playing a more important role.” (Hillier, 2000: 37).*

Having regard to the operation of power outside of formal structures, McGuirk (1995) demonstrates the presence of informal participation channels in the policy making stages of the planning process where economically and politically robust development and business interests influence policy through informal channels and continuous input into the process. However, her research is limited to the policy making stages of the planning process and thus neglects other ways in which power can navigate the formal structures of the planning system. In a similar vein, Hillier's (2000) research of a plan-making exercise in Perth, Western Australia reveals the importance of networks and lobbying as forms of informal action used by various stakeholders to influence planning outcomes. Although Hillier (*Ibid*) highlights the importance of informal networks which she links to 'relational resources' (i.e. contacts), in this particular analysis she fails to give sufficient attention to the manner in which such network contacts come about in the first instance and how they might be linked to inequities in resources (e.g. economic power, education levels, organisational skills etc.).

Others have been somewhat more cognisant of the importance of economic power in the emergence of formal or informal urban governance networks between central/local government and key economic interests (see Bassett, 1996; Rydin, 1998; McGuirk, 2000). In this regard, McGuirk (2000:662) uncovered both formal and informal "network based interactions between development interests and central government representatives" on the basis of resource dependencies, whilst Rydin similarly (1998:184) found that the "majority of resources and hence the key exercise of power" was attributable along the "private-developers-central-government axis". However, their research relates to the emergence of formal and informal urban governance networks in relation to urban regeneration projects rather than exploring the manner in which informal relations emerge outside of the planning system's institutional framework more specifically.

The shift towards neoliberal governance regimes has also been of central interest to academics drawing on Foucaultian ideas on 'governmentality' and the 'art of governance'. Using the case of the New Zealand Resource Management Act (RMA), Gunder and Mouat (2002: 126) argue that these governance arrangements produce 'symbolic violence and institutional victimization'. Their work shows that, from a Foucaultian perspective, the RMA is not seen then as an act of power but of institutional domination and oppression because it precludes the possibility of resistance and thus informally places well-resourced stakeholders in an advantageous position. In a similar manner, Grange (2012) highlights that reform within the field of planning is reflective of a shift from governing through a strong welfare state, to more neo-liberal governing. Drawing on Dryberg's (1997) power analysis she argues that this has largely been brought about by the "reproduction of local authority planners' identities" as demoralised, isolated and negative, which prompted planners to direct themselves towards "future positions promoted by the new planning system". It is on this basis that she argues that planners need to become more politically aware of how "power, through processes of identification, fundamentally structures human societies" (*Ibid*: 16).

Based on the forgoing discussion, a significant gap exists in the literature regarding the extent to which an informal planning system exists alongside the various formal structures that constitute the planning system, and particularly those outside of the policy-making stages of the planning process. This paper targets this gap by focusing on the informal operation of

power in the planning system. As outlined at the outset of this paper, our conception of power is one which focuses on the ability one person or group to affect another in a manner that *disproportionately* serves their own interests at the expense of others. The central argument of the paper is that there are two planning systems: one is the ‘official system’ that (theoretically at least) everyone can access and engage with; the second is the shadow (informal) planning system only accessible by vested interests and utilised primarily by the key holders of power such as developers, politicians, senior management (i.e. the elite in class terms). Thus, the objective of the paper is to investigate these issues and, using evidence from Ireland, to elucidate the informal strategies utilised by the holders of power to manipulate the planning system in their interests.

## **Methodology**

### *Case selection and the Irish planning system*

Ireland’s planning system is an interesting case from which to analyse the informal operation of power for a variety of reasons. At the international level, Ireland’s economic success during the ‘Celtic Tiger’ years was underpinned by a period of unprecedented property development activity which culminated in an overheated property bubble that burst with the onset of the global economic crisis. During that era, there was a catastrophic failure of the planning system to recognise and adequately deal with the economic, social and environmental risks and consequences associated with “promoting development-at-all-costs” (An Taisce, 2012: 6) and the system became increasingly neo-liberal and ‘developer-led’ (see Fox-Rogers et al., 2011; Kitchin et. al., 2012).

Ireland’s planning system has also come under increasing scrutiny in recent years as mounting criticism and speculation has emerged regarding the interactions between politicians, officials and property developers in the urban development process. This has largely been fuelled by the recent publication of the final report emanating from a tribunal of enquiry<sup>3</sup> which was set up to investigate planning corruption in Ireland. The central findings of the tribunal (which lasted 917 days) stated that corruption in Ireland “was both endemic and systemic” and its “existence was widely known and tolerated” (Government of Ireland, 2012:1).. Similar findings came to light in An Taisce’s (2012:17) (i.e. Ireland’s National Trust) independent review of Ireland’s planning system which highlighted the “endemic parochialism, clientelism, cronyism and low-level corruption” that existed during the ‘Celtic Tiger’ era.

In terms of the legal and administrative framework underpinning Ireland’s planning system, physical planning is a mandatory function of local government and there are 88 local authorities, each constituting a separate planning authority. The main instrument for the regulation and control of development is the development plan which must be updated every six years. The adoption or making of a development plan is the reserved function of the local elected members within each administrative area. The development management process on the other hand relates to the consent procedure for authorising development. The decision to grant or refuse a planning application is an executive function of the manager or delegated officials of a local authority. Local authority urban planners thus do not make decisions on planning applications, but rather make recommendations which are either accepted or overturned by the manager or delegated officials.

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<sup>3</sup>The Tribunal of Inquiry into Certain Planning Matters and Payments.



In terms of the funding of Irish local authorities, limited opportunities exist for authorities to raise income independently of central government. Two of the principal means of raising income within the control of local authorities are commercial rates (payable to the local authority annually) and development contributions (payable to the planning authority as a condition to a grant of permission). The funding structure of local government in Ireland is controversial as it seems that the “88 councils compete fiercely for new development, with their eyes firmly on the capital contribution levies and commercial rates that result from development, leading to extremely bad planning outcomes” (An Taisce, 2012:4).

**Figure 1. Map of Greater Dublin Area**



(Source: [www.dra.ie](http://www.dra.ie))

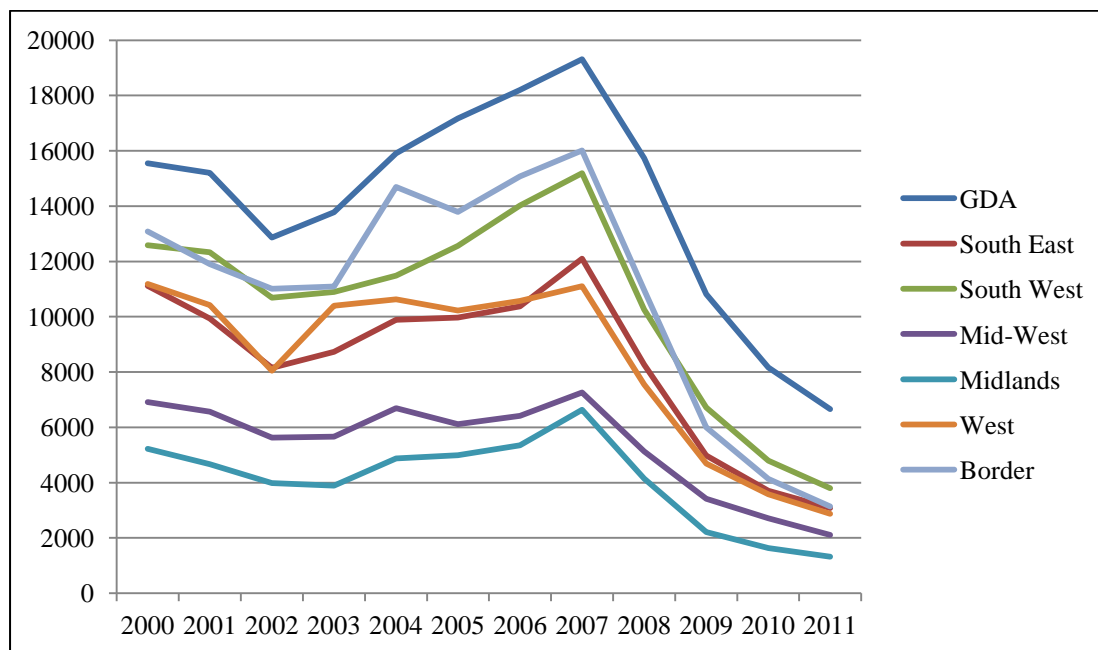
Accordingly, this research focuses on the Greater Dublin Area (GDA)<sup>4</sup> which is situated in the east of Ireland consisting of seven administrative authorities, each being a separate planning authority<sup>5</sup>. The region was selected on the basis that it has experienced the highest levels of pressure for residential and commercial development over the past decade nationally as indicated by the scale of planning decisions in the GDA relative to other regions (see

<sup>4</sup>The Greater Dublin Area consists of two of the eight regional authorities in Ireland, namely the Dublin Regional Authority and the Mid-East Regional Authority.

<sup>5</sup> The seven administrative authorities that make up the GDA are: Dublin City Council; Fingal County Council; Dún Laoghaire-Rathdown County Council; South Dublin County Council; Kildare County Council; Meath County Council; and Wicklow County Council.

Figure 2). The region also displays various geographical contexts as it consists of a diverse mixture of urban, suburban and somewhat rural planning authorities. Other important reasons for focusing on the GDA relates to its economic dominance nationally<sup>6</sup>, coupled with it being the centre of national decision-making and political power.

**Figure 2. Number of planning decisions by region 2000-2011**



Source: Developed from the DoECLG Annual Planning Statistics (2000-2011)

Considering Ireland's, and more specifically the GDA's, unprecedented level of development activity in recent years, coupled with growing concerns surrounding the level of transparency in the planning system, makes it an interesting case from which to analyse the extent to which powerful interests may circumvent the planning systems' formal structures.

### *Qualitative approach*

Qualitative interviews were carried out with 20 local authority urban planners from the study area in order to obtain rich and detailed insights about the nature of their interactions with local economic interests during the development management process. The planners were drawn from four separate planning authorities, which were selected on the basis that they together provided a wide range of planning contexts, development pressures, socioeconomic profiles and geographic locations (i.e. inner core, outer core and periphery).

Non-probability or 'snowball' sampling methods were adopted to generate respondents based on the criteria outlined above. An important issue to consider in the generation of any

<sup>6</sup> Dublin accounts for approximately 40% of national GDP (Murphy and Redmond, 2009)

snowball sample is that respondents may suggest others who share similar characteristics or outlooks. It is therefore important to ensure that the respondents display varying characteristics to reduce the possibility of biased accounts being obtained (Bryman, 2004). This was particularly important in instances where respondents suggest people “who might be worth talking to”. As a result, three core qualifying criteria were established in order to assist in objectively identifying suitable respondents: (1) the respondent’s local authority; (2) their professional grade; and (3) whether they work (or have worked) on a development management team. In terms of (1), a quota of 5 planners was sought from each of the four local authorities, thus equating to 20 respondents in total. The sample size was considered adequate as Mason’s (2010) survey of 2,533 studies that employed qualitative approaches found that the most common sample sizes observed were 20 and 30. For (2), variations in the employment grade (i.e. assistant, executive, senior executive and senior) was sought to ensure that responses were not skewed in any particular direction on the basis of their level of experience or position. For (3), over half of the respondents (i.e. 60%) were existing members of their respective local authority’s development management team, whilst those who were working in forward planning also had previous development management experience.

**Table 1. Breakdown of respondents by local authority and grade.**

| <b>Local Authority 1</b> | <b>Local Authority 2</b> | <b>Local Authority 3</b> | <b>Local Authority 4</b> |
|--------------------------|--------------------------|--------------------------|--------------------------|
| P1- Executive            | P6- Senior               | P11- Senior              | P16- Ass. Executive      |
| P2- Senior               | P7- Senior               | P12- Senior Executive    | P17- Executive           |
| P3- Ass. Executive       | P8- Executive            | P13- Ass. Executive      | P18- Senior              |
| P4- Senior               | P9- Executive            | P14- Executive           | P19- Executive           |
| P5- Executive            | P10- Executive           | P15- Executive           | P20- Senior              |

In terms of the possible methodological limitations of the forgoing approach, we were conscious of the fact that drawing respondents from the planning profession alone would generate data that essentially represents one side of the story. Whilst gaining insights from developers, managers and other stakeholders would undoubtedly be desirable, we felt it was important to first establish a detailed understanding of the experiences and perceptions of planners before comparing and contrasting their experiences with other stakeholders. This approach is considered justified on the basis that planners hold a central stakeholder position given their liaisons with all other stakeholders (i.e. developers, community groups, management, councillors), thus placing them in a pivotal position in terms of the various interactions at play. Furthermore, we felt that exploring possible divergences or similarities in the accounts offered by other stakeholders, would require a much larger study to achieve the level of detail required. In this regard we feel that this work provides a robust foundation from which subsequent explorations into the perspectives of alternative stakeholders could be undertaken.

We also acknowledge the traditional problems associated with qualitative interviewing, not least the gaps which can arise between what people *say* takes places in the interview setting, and what *actually happens* in reality (see Dunn, 2007). In this regard, Dunne (*Ibid*) warns us

about the dangers of the ‘pufferfish’ phenomenon, whereby respondents (particularly those in positions of authority) attempt to portray themselves or others in a particular light for protective purposes, particularly when the researcher could be perceived as a potential threat. This was regarded as a potential issue, not least because of the relatively sensitive and revealing nature of the interviews which could potentially damage the reputation of the planning profession, and planning as an institution. As such, several steps were taken to help ensure that transparent and frank accounts were offered by the respondents. First, respondents from a wide range of positions were interviewed as planners with more authority or experience may be more likely to distort their accounts in order to protect their reputations. Second, the interviews were anonymous to encourage the respondents to be as open and transparent about their experiences as possible. Third, considerable attention was paid to ensure that the respondents did not feel in any way threatened by the researcher. In this regard, professionally presented letters were issued to prospective respondents which set out some ground rules about how the information would be gathered and used. The respondents were informed that interviews would be: recorded digitally and subsequently transcribed; that their anonymity would be protected; and that the data generated would be used solely for the purposes of independent academic research.

Each of the interviews was transcribed verbatim and a systematic in-depth review of the interview transcripts was then carried out on a line by line basis to develop codes that were used to sort the data. Emic codes, which are devised on the basis of theoretical concepts dominated the analytical strategy. In addition, a series of hypothetical indicators of power were also developed to assist in identifying instances where issues surrounding the operation of power were at play. The hypothetical indicators were developed by applying Marxist political economy perceptions of power to the planning domain in order to postulate how one might expect power to operate in the local planning system in Ireland. In this regard, we hypothesised that those with high levels of economic power (i.e. property developers, commercial interests) would be able to extend their power within the planning system on the basis that the economic and political spheres are inextricably linked. In order to understand the most common themes emerging from the data and their prevalence amongst the sample of respondents, the number of planners which raised particular themes/codes was documented and quantified. This enabled us to get a better picture of the pervasiveness of issues relating to power in the planning system and the extent to which planners have common experiences or perceptions regarding the operation of power. As such, a quantitative analysis was employed simultaneously within a predominantly qualitative framework to assist in exploring and uncovering the most dominant issues at play.

## **Results**

Table 2 presents a summary of the strategies used by the holders of economic power (i.e. property developers, commercial interests) to gain advantage in the planning system. In this regard, three broad strategies are identified as being pivotal to the manner in which power informally navigates the planning system. However, a series of informal mechanisms are also identified *within* each of these broader strategies which explain in more detail the exact means by which powerful interests may operate beyond the formal institutional structures of the planning system. They are now discussed in detail.

**Table 2. Summary and categorisation of key results**

| STRATEGY   | INFORMAL MECHANISMS EMPLOYED   |
|--|--|
| 1. Gain informal access to those with decision-making powers               | a. Use of formal pre-application consultations as a means of establishing more informal meetings       |
|  | b. Lower grade officials side-stepped to gain access to those with decision-making powers              |
|  | c. Personal/informal relations to management   |
|  | d. 'Pro-development' officials handpicked  |
| 2. Generate traction/implicit support of prospective applications          | e. Support from particular schemes generated on the basis development levies/ commercial rates etc.    |
|  | f. Various inputs and iterations by officials generate implicit support/ sense of ownership            |
| 3. Ensure that planners recommendations accord with preliminary agreements | g. Management's support for a scheme filters down to planning officials                                |
|  | h. Recommendations of planners changed without use of the formal procedures                            |
|  | i. Planners taken off files in the event they may conflict with management's wishes                    |
|  | j. Planners career prospects possibly threatened by non-compliance with direction from their superiors |

### *1. Informal access to those with decision-making powers*

A formal mechanism was introduced in Ireland under s.247 of the Planning and Development Act 2000 to facilitate pre-application consultations between planning officials and applicants. Although the planners interviewed confirmed that this formal structure was widely used by prospective applicants to liaise with planning staff to 'iron out' (P16:7) potential issues prior to the submission of an application, it seems that such a provision has enabled the facilitation of more informal meetings between applicants and the executive. In this regard, 85% of respondents outlined that powerful interests often side-step this formal mechanism by liaising directly with those holding decision-making powers (i.e. local authority management) rather than case planning officers as is required under the legislation. As explained by one executive planner:

*"...if I was doing it [a recommendation] as a refusal, it's not me who's mind they'd [developers] be trying to change. It would be the person down the line that's signing off on it that they would be talking to, or the director, you know? Reports are prepared by the planner, signed off by the senior planner and then it's the manger or whoever is designated then to issue the grant; so they'd be talking to the person signing off and bypass me." (P15:10)*

In terms of gaining access to those with decision-making powers, it seems that accessibility is inextricably linked to the economic power of individuals. Many of the respondents

highlighted that it is the larger property development companies or private corporations that are facilitated with meetings outside of the formal pre-planning application procedure not low-level applicants. Although 20% of the planners interviewed felt that the high level of access afforded to such actors is somewhat warranted given the general complexity and scale of their proposals, others felt that it related more to the financial reliance of local authority's on private economic interests. One senior planner highlighted this succinctly by making the connection between the financial contributions that emanate from private interests in the form of development levies and/or commercial property rates and the level of informal access to senior officials that they subsequently enjoy as a result:

*"...if you're a major landowner or you were Treasury [a large property development company based in Ireland] or whatever; if you wanted a meeting, you've got that meeting because you help fund the council by the scale of development you're involved in?" (P4:8-9)*

*"Like you know, [a large corporation] wouldn't be sitting here. They'd be getting tea and coffee up in the manager's office so they just go in at that higher level and so do a lot of companies" (P9:14).*

Various planners also highlighted that interpersonal relationships and personal contacts can organically develop between private interests and senior officials given the scale of interactions that they may have with each other over a period of time which subsequently leads to increased levels of informal interactions between them:

*"If you are a major player in a county you have the mobile numbers of the managers in your phone...you can be sure that the head guy in Intel can pick up the phone and ring the mobile of the Kildare county manager and he'll answer it" (P4:8-9).*

*"Let's face it...that's only what I see when I come in to work never mind what happens on the golf course; they're all doing that. There's no doubt about that" (P1:17-18).*

Linked to the issue of familiarity and informal interpersonal relationships is that local economic interests can eventually become aware of which planners have a more pro-development outlook than others. One senior planner raised this issue and explained that development interests are even able to 'hand-pick' individual planners who they feel may look more favourably upon their application:

*"...interestingly, developers can decide that they want to speak to particular planners because each planner, and this is not known and sensitive, would have a particular angle or perspective on a development. You know, I would be seen as pro-development so they all want to speak to me (laughs)... If you go to another planner, you might get a floor lobbed off" (P2:11).*

The foregoing indicates that powerful economic interests are able to by-pass the formal planning structures made available to applicants at the pre-application stage of the planning process, instead availing of more informal interactions with senior officials or management. It seems that the reliance of local authorities on private interests as a means of generating commercial rates, development levies or employment opportunities enables such interests to bypass the formal mechanisms in place. On this basis the results suggest that a power relation

arises between economically powerful development interests and the executive arm of the local authority given that the latter has an inherent need to furnish such interests with informal meetings that are outside of the formal pre-application consultation procedure. Although such observations are interesting in themselves, the key issue to consider is not necessarily the extent to which such informal actions take place between such actors, but rather the degree to which they ultimately shape the planning outcomes arrived at.

## 2. 'Traction' of prospective applications

The end result of informal interactions between senior officials/management and local economic interests tends to be that certain applications do have a degree of traction or implicit support from the executive before they reach the formal planning application process. In this regard, the planners interviewed demonstrated an awareness of senior officials/management implicitly supporting particular schemes on the basis of informal discussions with their promoters. More specifically, one respondent explicitly expressed that the views of management are directly aligned with the views of corporate interests; in other words, corporate and management views are synonymous:

*"... if it's discussed at management levels and they're tacitly supporting it, you know that that's the corporate view on something..." (P15:17).*

Where implicit support exists for prospective schemes before a planning application is formally submitted, it seems that third parties who may wish to challenge or oppose an application is at a distinct disadvantage relative to the developer given the level of inputs and iterations that may have already taken place outside of the formal development management process. The results indicate that a power relation essentially arises between development interests and the general public on the basis that the latter may be on the 'back foot' in terms of their ability to effectively engage in the formal development management procedure and protect their own interests. As one executive planner outlined:

*"...there's certain developments like, larger developments- they generally have legs. They generally have had pre-planning discussions with a range of people within the organisation, not just necessarily you as an area planner, so they'd have all sorts of inputs from other people and as the process goes on, it becomes more and more and more and more difficult to stop" (P1:14).*

In attempting to understand why certain developments might have 'legs' following informal interactions, 90% of the planners made reference to the inherent reliance of local authorities on private development activity as a source of funding, infrastructure provision and job creation within their administrative areas. Although the financial contributions that accrue from granting a planning permission within a specific administrative area is not a formal consideration in the evaluation of a planning decision, many of the respondents interviewed suggested that financial contributions are indeed informal factors influencing the attitude of local authority management towards prospective developments:

*"...commercial development from the manager's point of view: the more permission the better because there's a better rates base". (P1:8).*

Indeed some planners indicated that the economic downturn may have exacerbated the need for local authorities to generate financial levies or development contributions and that some economic interests bring this to the attention of management:

*“I think that a lot of people are definitely saying to the like of management you know, ‘well we’ve our rates and we need to expand so you better grant us an expansion...’, like they are trying to put the pressure on management like that” (P9:14).*

*“We’re completely reliant on them [developers] now anyway- it’s the only way anything is going to get built in the future.” (P13:14).*

The foregoing suggests that resource dependencies on the part of the local authority enable privately generated projects to gain a degree of implicit support from senior management. The funding structure of local government means that the system must necessarily facilitate some measure of development activity to remain financially stable and to perform comparably (or favourably) relative to other local authorities. The results indicate that this phenomenon places developers in a powerful position relative to the executive and the general public as their schemes may gain a degree of traction and implicit support at these higher levels before entering the formal application procedure.

### *3. Infiltration of informal support*

The importance of gaining implicit support from management is an important way that powerful interests informally navigate the formal development management process. In this regard, the results emerging show that preliminary agreements made at higher levels tend to filter down through the organisational hierarchy of the planning authority, eventually reaching the planners who are making professional recommendations on individual planning files. As succinctly put by one executive planner:

*“Yeah I think it filters down in terms of, ‘this has been agreed so make it work’” (P9:14).*

*“...I wouldn’t have too much contact with the manager or a director of services. It tends to filter down through the senior planner and senior executive planner.” (P15:17).*

Although formal mechanisms exist which enable the local authority executive to overturn the recommendations of planners in a transparent and open manner in the form of a written direction, 70% of the planners interviewed highlighted that their recommendations can be influenced and changed without the use of this formal mechanism.

*“If there is overturning of stuff at the lower level between the assistant planner and the senior executive that usually gets sorted out before it becomes a formalised decision.” (P20:11).*

During discussions surrounding the overturning of recommendations by management, 25% of the planners interviewed impulsively mentioned that they did not feel under any undue pressure to change their recommendations in a manner that conflicted with their professional opinion. However some planners did indeed suggest that the influence or pressure



experienced can vary from being explicit to much more implicit in nature. As one respondent explains:

*“...I’ve worked with certain individuals where you feel that your hand is very much forced into one way of the decision and it can be tough. You know you’re making a recommendation and then it’s sort of thrown in your face or very kind of coyly “did you think about this?” or “did you consider this?” You know, it’s almost done underhandedly- it’s not really “you’re wrong”. It’s very much put in a manner like ‘well how did you decide this and what about this and what about that?’.”(P16:12).*

The foregoing suggests that informal strategies of power can directly impact on formal operations in the decision-making process. In this regard it seems that informal interactions between development interests and senior officials can directly impact on the more formal aspects of the system by using certain planners as agents of power and their formal recommendations as a vehicle of power irrespective of their professional views on a specific application. This serves to embed or institutionalise a ‘pro-development, pro-power’ ethos within the formal system thereby offering legitimacy to the process as the decision reached appears to be based on the professional opinion of planners rather than any informal influence that may have taken place behind closed doors.

In more extreme cases, two respondents reported that planners can be taken off cases in instances where their recommendation would conflict with something that has been provisionally agreed at a higher level. Their removal from the case and the deletion of their file thus reduces transparency in the planning process as no formal overturn of the recommendation is required by management.

*“...if I had recommended refusal for whatever reason but X is going to grant it, then my report can be deleted completely and that file would never have been assigned to me, it has only been assigned to X and he recommended a grant. It wasn’t overturned because I didn’t do it.” (P9:12)*

*“...an assistant or an exec planner, unless they have some really big sort of feeling for a file- like oh this definitely should be refused, they’re not going to sort of have their argument with the seniors where they sort of dig their heels in because it could be that the file would be taken off them anyway or fine we’re going to change your report and you’ve done nothing other than sort of almost get yourself in trouble so it’s a pick your battles kind of thing.”(P17:14)*

Rather interestingly, several planners highlighted that the issue of planners deviating from the direction of their superiors is afforded attention in the recruitment process of planners to local authority planning departments.

*“...that would be a question in planning interviews in the past anyway, ‘what would you do if your senior disagrees with you?’ And you’d say: ‘oh before you even get there you discuss it with him and you get a consensus on what’s going to happen’... i.e. kind of pretty much do what you’re told.” (P19:14).*

Indeed, during discussions regarding the relationship of planners to more senior officials or local authority management, 35% of respondents spontaneously made reference to the fact

that planners are somewhat ‘groomed’ or discouraged from challenging the status quo. As one executive planner explains:

*“...it’s people who are going up the ladder. Certain people are known to be...that person is a bit of a problem. When we go and ask them to do something for us, he won’t do it or she won’t do it or whatever; they’re sticklers” (P1:3).*

The foregoing suggests that planners can be used as agents of power by exerting pressure on them either implicitly or explicitly from their superiors in a manner that reflects the interests of power. The results indicate that planners are in a relatively powerless position to challenge the informal mechanisms used by powerful interests to further their own interests and it seems that there is a certain desire to keep it that way given the emphasis that is placed on such issues during the recruitment of planners to local authority planning departments.

## **Discussion and conclusion**

Despite the growing body of critique and empirical research that surrounds formal participatory planning exercises related to the policy-making and plan-making process, the results presented here show that there are various means by which powerful interests can bypass the formal structures that constitute the planning system. Using the specific case of the development management process, the results from this study demonstrate that powerful interests use the informal mechanisms made available to them (precisely because they hold economic power) to circumvent the formal structures of the planning system that are specifically instituted to place checks on power. Put another way, they use informal strategies to bypass the components of the formal planning system which might restrict the influence of their economic power on decision-making.

More specifically, the results demonstrate that a shadow planning system exists adjacent to the ‘official’ planning system which can be accessed only by powerful economic interests. Rather than relying solely on the formal mechanisms that are in place to provide an equally accessible, transparent and democratic system, powerful interests can side-step these structures to further their own vested interests. Our work shows that many of the behind the scenes meetings that take place are largely facilitated and legitimised by the formal mechanisms that constitute the pre-application consultation process. Indeed, Gunder and Mouat (2002) came to somewhat related conclusions for the case of the Resource Management Act in New Zealand albeit from Foucaultian perspective. Similarly, Fox-Rogers et al. (2011) have argued that formal procedures have been introduced specifically to facilitate private development interests at the expense of the general public, and reflect a series of legislative changes that have taken place under wider processes of neoliberalisation. Specifically in the Irish case, our results suggest that the central driver in the emergence of informal interactions stems from the power imbalances that exist between powerful economic interests and the executive arm of the local authority given the latter’s reliance on private investment to generate independent income streams. In practice, this means local authorities are (almost) obligated to furnish powerful interests with informal avenues to navigate the system; not doing so would have severe negative outcomes for their financial position and make them less competitive vis-à-vis the practice of other local authorities.

The inherent reliance of local authorities on privately generated income streams is also evident in terms of the implicit support that can be generated on the basis of informal interactions at higher levels. In this regard it seems that planners are (informally) made aware

of the 'corporate view' (P15:17) on a particular file when they are making formal recommendations on applications. The fact that applications can have a degree of traction or implicit support before ever reaching the formal application stage also creates power imbalances between development interests and the general public. Given that schemes can have 'legs' before entering the formal planning system, they may be considerably more difficult to quash from the perspective of less powerful groups who are excluded from these informal channels and are forced to operate within the confines of the formalised institutional structures.

The results demonstrate that the manner in which these power imbalances become manifested in terms of the planning decisions arrived at also take place through informal channels as messages implicitly filter down through the organisational hierarchy. Rather interestingly, these informal actions tend to infiltrate the formal structures in the sense that formal recommendations are written up in such a way that they tend to reflect what has been preliminarily agreed at higher levels and through informal channels. This is a very effective strategy from the perspective of the holders of power as the planner's professional report provides a formal legitimacy for an application decision that has murky underlying processes. Powerful interests use the informal system to shape and embed a pro-development agenda within formal planning arrangements. Thus, rather than being independent neutral arbitrators between competing interests, planners can thus find themselves tacitly functioning as agents of power in the informal planning system often without their knowledge and/or consent. Overall, the results raise serious concerns about the democratic nature of the planning process given that powerful interests dominate by operating through informal channels in ways that disguise the operation of power in planning.

In a similar vein to Brenner and Theodore's (2002) use of term "actually existing neoliberalism" to highlight the disjuncture between conventional neoliberal ideology and its translation to actual projects of neoliberalisation, this article supports and builds upon the existing body of work that has sought to highlight the disjoint between the theory of communicative action on the one hand, and what we refer to here as "actually existing communicative action" on the other (see Tewdwr-Jones and Thomas, 1998; Watson, 1998; Hillier, 2000; Gunder, 2000; Phelps and Tewdwr-Jones, 2000; McGuirk, 2001; Abu-Orf, 2005). Although discussions on power in planning have shed light on the distorting influences of economic power (McGuirk, 1995; Watson and Gibson, 1995; Fainstein, 2000; Flybjerg, 1998; Sandercock, 1998; Watson and Gibson, 1995), we have demonstrated here that the operation of power is not limited to formal participatory processes, nor is it limited to the sphere of policy-making. Although Hillier (2000) has also pointed to the importance of informal networks outside of formal participatory structures as a means of strategic action in plan-making exercises, our findings differ significantly given that the central driver in the emergence of informal strategies of power in our study was essentially linked to economic power rather than 'network contacts' alone. At a more practical level, we argue here that even if collaborative approaches did provide compelling evidence to suggest a real prospect for achieving more equitable planning outcomes, there are other important ways in which power can navigate the system and bypass process-driven participatory measures. This implies that a departure from 'light touch' approaches that focus exclusively on participation and deliberation, and a turn towards more radical solutions that look toward the distribution of economic power in society is ultimately required. In doing so, planning theorists need to be more cognisant of the structural relations that govern the existing distribution of economic and political power in society. One conclusion that can be drawn then is that planners need to be more aware of the origins of the planning system itself and particularly its role as a

progressive and redistributive institution albeit one formally established (paradoxically) out of a social contract between capital and labour. This shift is essential if any serious attempt is to be made at redressing the existing power imbalances in the planning system. We argue that such shifts are not possible under the current capitalist system; radical structural changes are required which are unlikely to take place any time soon. Small-scale, readily achievable measures could be put in place to help redress the inherent reliance of local authorities on development activity. For instance a redistribution of wealth between local authorities may assist in reducing their competitive nature and their inherent need to facilitate private economic interests through a shadow planning system. This could be brought about by introducing value capture arrangements whereby the levies accruing from development activity are centralised nationally and then redistributed to local authorities on a pro-rata basis. Whilst such measures would not remove the reliance of the state on the taxes emanating from development activity in general, it may go some way towards reducing the pressures that are currently placed on individual local authorities to compete with one another for development thereby helping to promote more strategic and sustainable planning outcomes that are no longer determined by the boundaries of local authority administrative areas.

More broadly, this paper has demonstrated that whether power operates within the formal structures of planning or navigates through a shadow system it remains, in essence, functional to the existing power base in society. In this sense, our work is supportive of more critical conceptions of power and can be aligned with other studies which have highlighted the regressive nature of planning (Scott and Roweis, 1977; Harvey, 1985; Flyvbjerg, 1998; Fox-Rogers et al., 2011). It supports a re-engagement with Marxist and neo-marxist approaches to aid with more critical understandings of changing power dynamics in planning. These approaches are urgently needed in helping us understand why “the high-sounding ideals of planning theory are so frequently translated to grubby practices on the ground” (Harvey, 1985: 184). Future debates on issues surrounding the operation of power in planning therefore need to move away from discussions on the merits or otherwise of formal participatory structures. Rather, increased attention is needed on the manner in which economic and political power behaves to further its own interests within the planning system more generally and associated strategies that can be instituted to realise more equitable and democratic *outcomes* rather than *processes*. At the very least, planning must be re-claimed as a socially progressive institution focussed on achieving socially progressive outcomes; not an institution of (neoliberal) capitalism. In practice terms, planners must become more aware of their original role as agents of progressive social change; not agents of power.

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