

## **Briefing Paper**

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**To:** Max Bauer, Team Leader at the City of Tübingen on the issue of “gratis public transport”  
**From:** Daniel Herfurth, Policy Advisor at Baden-Württemberg Consulting  
**Subject:** Mediation process for Tübingen regarding gratis public transport  
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## **Introduction & Key Message**

Baden-Württemberg Consulting, an independent advisory company specializing in local conflicts, was commissioned to elaborate a road map for Tübingen's project “gratis public transport”. Since the initial conditions of that project have been difficult and eventually led to an impasse, we suggest a mediation process in try to resolve the situation and to unlock the potential of the project.

The mediation process has three aims:

- (1) to bring the stakeholders together in order to forestall uncoordinated actions of single stakeholders aiming at influencing the media in favor of or against the project;
- (2) to act actively against the unfounded image of the Lord Mayor as a “selfish” policy maker;
- (3) to facilitate the pathway for Tübingen to be a prospective test city for gratis public transport;

## **Background**

The 2015 “Paris Agreement” sets the standard for ecological efforts in all branches of human interaction with nature, particularly aiming at an ambitious reduction of greenhouse gas emissions in order to keep the global temperature increase below 2° C. This requires a far-reaching “decarbonization” of all sectors down to a level close to zero. Unfortunately, the transport sector contributed the least over the last two decades and maintains a constant level of emissions. Therefore, the Climate Initiative of the federal government wants to improve public transport in order to encourage people to refrain from private car use more often since public transport exhausts just a fraction of the emissions a private car does per capita.

The first step of the government's strategy was to establish test cities that are provided with additional money they can use for public transport. A certain leeway is left with the local level, so it is their decision whether they want to use the money to increase the supply, to lower the fees, to renew the fleet or to build new infrastructure. The political claim proposed from the federal government at the start of the initiative was “to establish gratis public transport”. However, none of the chosen test cities decided to use the money for exactly that purpose. Rather, they combined the above-mentioned instruments and some decided to lower fees a bit, but not down to zero.

Unfortunately, Tübingen is not among the chosen test cities although it presented a concept that exactly meets the original claim of the government, namely “real” gratis public transport. Even worse, Reutlingen, a local rival of Tübingen, got the funds. In its disappointment of not being

chosen as a test city, the Lord Mayor of Tübingen claimed the concepts of the chosen cities as “disheartened” and longs to become a “special test city” via any means that may occur. It is a project he personally pays a lot of attention to. Notably, he has got a viable concept for gratis public transport and can rely on a city council that strongly supports him. Currently, he searches for recognition and financial support.

## **Stakeholders & Interests**

Baden-Württemberg Consulting detected seven major stakeholders and classed them into three groups labeled “supportive”, “neutral” and “opposing”. The following list names them and gives reason for their respective position.

### **1. Supportive stakeholders**

- (a) City of Tübingen
- (b) Environmental associations

### **2. Neutral stakeholders**

- (c) State of Baden-Württemberg
- (d) Federal Ministry of Transport
- (e) Passengers' associations

### **3. Opposing stakeholders**

- (f) Bus operators
- (g) Integrated transport network company

Since Tübingen is traditionally considered a “green” city, the relationship between (a) and (b) is benevolent. With regard to the project, both share the same narrative in terms of fostering public transport by almost any means, including a zero fee. Tübingen plans not only to introduce ticketless traveling but also to increase supply substantially. However, the long-lasting relationship between the two stakeholders makes (b)'s support not so surprising and thus, the role of (b) as an advocate of (a) has got a limited signaling function to the broad public.

The neutral stakeholders are united in their neutrality only, following different lines of argumentation: (c) appreciates attention for “green projects” on its own territory but does not want to spend money, (d) refers to formal regulations stating that all of the available funds have already been spent, (e) rather favors an increase of supply than a zero fee and pays a lot of attention to the problem of homeless people who are likely to misuse gratis buses as a shelter. Whereas (e) has only got symbolic and moral power, (c) and (d) are critical for the project: if (d) spent additional money there would be no impasse at all (but (d) will not do so since it is against their own regulation and it feels insulted by Tübingen's comments on the selected test cities). (c) could spend additional money but fears to open the gates for other applicants in the aftermath; however, (c) can pass legislation that would allow Tübingen to collect a special tax to fund its gratis public transport on its own.

Stakeholder (f) fears losses in revenues when not accurately compensated for the gratis area. (f) pays special attention to the bus lines that cross the city border and wants to know how to deal with lines running through different “pricing areas”. (f) is not strongly against the project. The stakeholder rather feels insulted by the process since Tübingen went public with its plans without any communication with (f). Stakeholder (g) is concerned about the unity of the fee structure within its network and fears a complication of regulation that might deter passengers (especially when traveling across the city border). Its concerns are of fundamental nature since its network covers an area that is mainly rural and therefore, (g) has got a strong aversion against preferring cities like Tübingen over rural areas. (g)'s power is based on its recognition as “being the public transport in and around Tübingen” in the broad public. Formally, however, its power is limited since Tübingen is allowed to change its fees on its own.

## **Suggested Procedure**

In a nutshell, Tübingen needs one out of two possible solutions regarding the core of the project: Either, (c) or (d) spend additional money for the project, or (c) allows Tübingen to collect the funds on its own via a local tax. All the other stakeholders are contributing in a rather “atmospheric” way, influencing good or bad media perception. Considering this initial condition, we do not suggest a joint mediation including all stakeholders at once. Instead, we suggest several mediation circles with fewer participants that address the needs and fears of the specific stakeholders more precisely.

The first circle should be established with (f) and (g): They are the local partners with the largest “atmospheric” power. Moreover, they see it as the City's duty to undo the communicative mistakes and to be adequately included in the process. It would be a cost-free but powerful gesture of Tübingen to undertake the very first steps of the new procedure with them. As a side-effect, Tübingen can negotiate with the really important stakeholders more easily when a consensus is visible at the local level (a+f+g).

Stakeholders (b) and (e) form the next circle together with the City. Here, the special dynamics of the strong supporter (b) should be used in order to negotiate with (e). To us, it is mainly a lack of information for (e) that prevents (e) from favoring the project: Therefore, Tübingen should emphasize that the zero fee will be accompanied by an expansion of supply. Additionally, Tübingen should offer something to reduce concerns regarding homeless people (see above). For example, Tübingen could agree on a special shelter program for homeless people.

As it is unlikely that (d) will change its position, Tübingen can spare (d) the negotiation. Instead, we suggest a communication agreement: Tübingen commits itself not to comment on the chosen test cities of (d) any more. In return, (d) does not try to prevent Tübingen to become a test city via other means.

The last negotiation circle is the most important, namely the negotiation between Tübingen and (c). Since (c) adheres to a neutral position at the moment, information and persuasion have to be used intensively. To end up with a satisfactory deal, Tübingen has to emphasize that the needs of both parties are quite similar (Tübingen wants to go an innovative way and the State can show that it has got an innovative administration) and it should refrain from insisting on its claim for funds.

## **Outline of desirable negotiation results**

The preconditions for a fruitful negotiation result between Tübingen (a) and the State (c) are set through the above-mentioned procedure. Content-wise, we recommend Tübingen to aim at a framing of an “innovation project” that is able to prove the forward-facing attitude of Baden-Württemberg as a unit (i.e. the State and its cities are partners, not adversaries). On the one hand, the State could make a concession to all cities that licenses them to charge own taxes for the purpose of public transport. This is advantageous for the State since it neither has to spend money directly, nor does it create a precedent – because all cities are invited to use the concession and so, equality among the cities is guaranteed. On the other hand, Tübingen should show flexibility regarding the time horizon and agree on the idea to install the concession just on a temporary basis for about one to three years. This is advantageous for Tübingen as well, since it gets the chance to become a test city – and “testing” always contains the idea of a temporal limitation. The joint result (implementation of a temporally limited concession) should empower both sides to work together without atmospheric disturbances and to sincerely “live” the result.

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[All headlines of German references are translated in brackets]

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