

## Executive Summary

### 1. Introduction and Objectives

The UK signed the European Landscape Convention (ELC) on 21 February 2006; it was ratified on 21 November 2006 and came into force on 1 March 2007. The UK is recognised within Europe as already providing good examples of landscape-related policy and practice, so while the UK was consistent with the ELC, what was much less clear was the detail of how implementation of the ELC would occur and what difference it might make to practice. This research – commissioned by Defra, as the UK's representative to the Council of Europe in relation to the ELC - was carried out by Newcastle University in conjunction with researchers from the Universities of Sheffield and Manchester.

The project provides baseline information on landscape relating to national policy in the UK overall, and to the devolved administrations. It also explores various issues relating to landscape change and policy assessment, and provides the basis for a policy monitoring framework to understand how the implementation of the ELC can be achieved within national policy. The research objectives of the study thus fell into two clear areas:

- i) To establish baseline information relating to current landscape legislation, policy and other activities for the protection, management and planning of landscape within the UK with respect to obligations under the ELC;
- ii) To develop a methodology and protocol to monitor and assess changes in legislation, policy and other activities and investigate the feasibility of assessing direct landscape change as a result of the ELC:

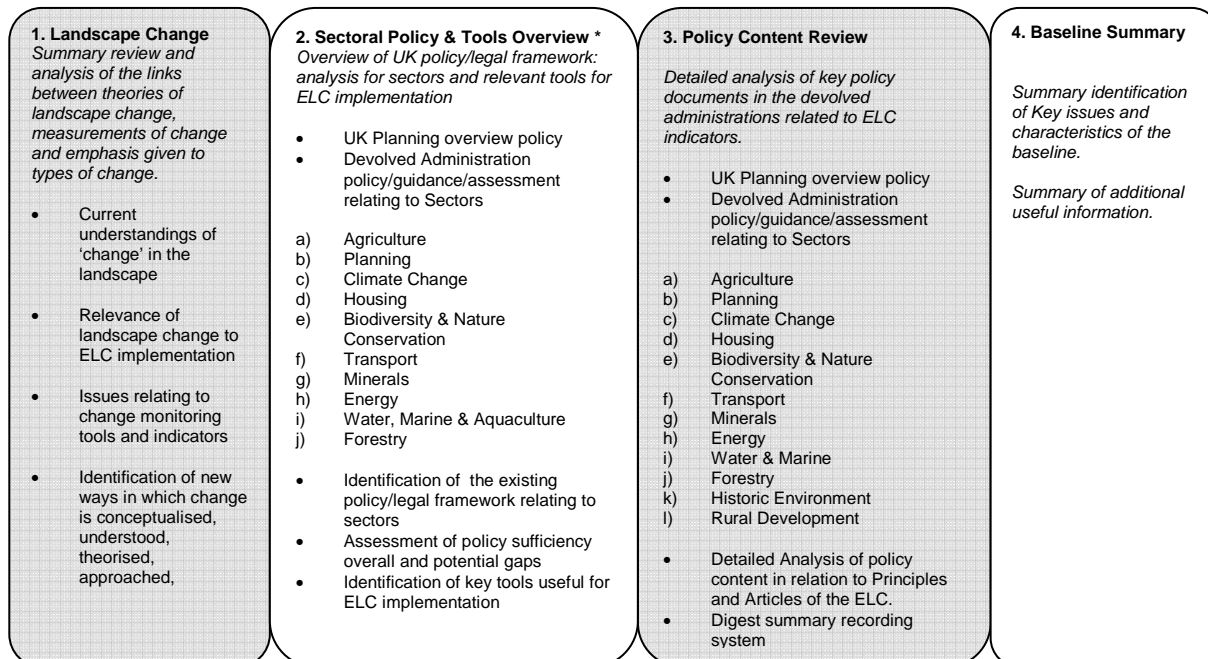
### 2. Methodology

The research was undertaken primarily as a desk-based review, focussing on legislation, policy, guidance, advice and similar 'other activities' at the national level within the devolved administrations of the UK (England, Northern Ireland, Scotland and Wales). The work was supervised by a Steering Group which included representatives of the devolved administrations involved in landscape policy.

**2.1. Establishment of the Baseline:** This is primarily based on a qualitative content analysis methodology. The four components of the baseline and the methods used are set out in Figure 1.

Figure 1

### Baseline Information & Analysis



**2.1.1 Landscape Change Analysis:** This is an assessment based on literature indicating current theoretical approaches and professional practice.

**2.1.2 Sectoral Policy & Tools Overview:** This is an analysis to provide sectoral overviews, a broad indication of the sufficiency of policy overall, and an indication of potential gaps. Key tools of potential use in ELC implementation from the various sectors were also identified and discussed. Documents (current and publicly available in digital format) for this part of the study and for the Policy Content Review were selected to represent the key sectors related to landscape in each of the devolved administrations. Other relevant non-policy documents, notably sustainability appraisals (SAs) relating to generic guidance and actual SAs at national level, were also examined.

**2.1.3 Policy Content Review:** This is an assessment carried out in relation to the indicators derived from the ELC Principles and Articles 5 and 6. Information from the 117 documents examined was recorded on an Evaluation Form and collated into a digest system. The primary purpose of the Form was to record the baseline situation and thereafter aid monitoring and thereby understand changes within policy, guidance, assessment or overview documents in relation to the baseline study. An outline capacity analysis relating to the key organisations represented on the Steering Group was also carried out through a short questionnaire.

#### **2.1.4 Establishment of a Monitoring Framework**

This was developed based on a more general review of literature relating to implementation and monitoring; to ELC implementation; to the development of the methodology used in creating the baseline; an examination of Council of Europe and other documents and previous research to identify the stages, processes required, and links to other activities and implementation procedures; and discussions within the Research Team and with the Steering Group

### **3. Key Findings of the Research**

#### **3.1 Baseline**

**3.1.1 Landscape Change Analysis:** This report has taken a normative approach to establishing a baseline for, and monitoring of the impact of, the ELC. Thus, it addresses the policy baseline, on the assumption that improvements in policy and its implementation will lead to increasing alignment with the ELC. It is recognised that the ELC is not the key driver for change in the landscape, nor is it likely to be in the future. The main drivers for change in the landscape are many and various and include increased development pressures, increased need for renewable energy, responses to climate change etc. However responses to the ELC can make a difference to the way the landscape is planned to mitigate and accommodate these changes and the extent to which stakeholders and communities are involved in landscape policy and planning decisions. The development of a baseline of actual landscape change is highly challenging, yet should be accorded attention in the future. In particular, monitoring of actual change will become increasingly possible when landscape quality objectives have been determined in relation to reliable local landscape/historic character assessments. In addition, certain proxies may shed light on some landscape changes.

**3.1.2 Sectoral Policy & Tools Overview:** The two main conclusions drawn were:

- i) There is variation in the level to which guidance in England, Scotland, Wales and Northern Ireland articulates with the ELC; although this typically reflects how recently the guidance has been revised rather than variations in practice e.g. recent guidance often renders explicit issues which were previously implicit. But even explicit references to the ELC may not yet lead to significant policy innovations. While UK policy and practice is already broadly sympathetic to the ELC, the balance of law and guidance is overwhelmingly towards rural landscape protection. Issues of agricultural landscape management have also become more prominent through Environmental Stewardship, although this effectively only refers to rural landscapes. Therefore, there is major scope to expand guidance on the creative and urban potential of landscape, and this should be a key focus of future monitoring.
- ii) None of the documents reviewed are so outmoded and inadequate that they preclude actions consistent with the ELC, and practitioners in all the administrations have broadly similar opportunities to undertake a wide range of exemplary actions in relation to landscape protection, management and planning. However, there is scope in most areas to provide a more balanced account of alternative landscape options in all areas, and to make landscape aspects more explicit.

**3.1.3 Policy Content Review and Summary of Baseline & Additional Information:** The key findings were:

- (a) Generally, UK policy is performing well in relation to the ELC;
- (b) A number of useful exemplar policies exist indicating that the direction of travel towards improved consistency with the ELC is positive;
- (c) Newer policies indicate more care being taken to indicate consistency with ELC Articles 5 & 6;
- (d) There appears to be a positive link between good performance in Articles 5 & 6;

- (e) There is no correlation between good performance in relation to the use of landscape terminology and good performance in Articles 5 & 6;
- (f) The UK position on landscape protection is much stronger than on management and planning (as defined in Article 5 of the ELC). Safeguard of the finest landscapes and mitigation/avoidance of damage to scenic assets is generally well developed, as is management of rural land (through Environmental Stewardship, etc.). The management of urban greenspace and 'strong forward looking action' – i.e. landscape and green infrastructure created through development and regeneration – is far less well developed in explicit policy guidance., as is landscape and public realm as a component in urban design and the creation of 'place'.
- (g) Landscape quality objectives (Article 6) are not well developed in the UK;
- (h) Uncertainty seems to exist as to how to express sympathy with the ELC in policy:
  - i) 'Landscape' as a concept within policy appears to be 'slippery'; while there is considerable use of landscape terminology, this is often through proxy terms and not in terms that relate to the ELC:
  - ii) Each sector has a different way of framing landscape, so understandings of the significance of landscape through sectoral discourse when determining policy may not be the same as the discourse of the ELC. This is not necessarily a problem provided implementation of the ELC is through specific reference to the intent of the Articles; some measures may be needed to ensure this takes place. In terms of understanding and transparency it would be preferable if greater use of landscape terminology linked to ELC objectives was utilised throughout policy.

### 3.2 Monitoring Framework

The objectives of UK monitoring relate to two key areas: (i) to monitor changes in legislation, policy and activities that operate at various spatial scales, and (ii) to assess change on the landscape in relation to the objectives of the ELC. Monitoring will provide an assessment of the effects of the ELC on the UK landscape that can be reported to the Council of Europe. The proposed monitoring framework facilitates monitoring changes in legislation, policy and activities at the UK national level and at the level of the devolved administrations of England, Northern Ireland, Scotland and Wales. This is carried out through using a range of indicators and by examining sectors of particular relevance to the ELC.

The recommended monitoring process (Fig. 2) shows the 10 Stages within the full monitoring process. It is recommended that this process occurs on a five-yearly basis with reporting in year six (the next full monitoring would occur in 2013 with reporting in 2014).

An interim monitoring and reporting process would occur in year 3, covering Stages 2-10; the next interim monitoring would occur in 2011. This interim process would allow for feedback from the Council of Europe and other initiatives to be identified and monitored and would inform the biennial reporting process by Defra to the Council of Europe. It would also aid policy development in all the devolved administrations in relation to ELC implementation. A review of the interim analysis plus any further information would be included in the full monitoring process. Evidence of monitoring is required, and therefore summary forms are provided relating to each part of the Baseline. Reporting would be to Defra and the report may be circulated to a wider group e.g. the UK Monitoring Group and others.

**Figure 2: The Monitoring Stages – Full Monitoring Process**

