

## **European Landscape Convention - A Framework for Implementation in England**

**The Framework for Implementing the European Landscape Convention in England seeks to further strengthen the protection, management and planning of landscape in England by providing a structure for Action Plans of partners and stakeholders. It underpins a wide range of activities which, through public engagement and stakeholder involvement, will lead to wider understanding and appreciation, improved knowledge and care as well as a sense of inspiration, well-being and connection between people and place. It is envisaged that any organisation involved in landscape can produce an ELC Action Plan. Some organisations may not currently be in a position to produce a specific ELC Action Plan, but it is still important that any plans/strategies reflect the intent and language of the ELC.**

Defra, Natural England and English Heritage all have specific roles in relation to the implementation of the ELC. Defra has a co-ordinating role within the UK as a whole, Natural England lead on the implementation of the ELC in England, and English Heritage provide expertise on the historic character of English landscape (further details of these roles are at Annex 1).

A broader framework for implementation is being developed and will be launched at the UK's ELC Conference in 2010.

### **Part 1. Background**

**1.1** The European Landscape Convention (ELC) came into force in the UK on 1 March 2007.

**1.2** The ELC definition is short, yet comprehensive: *'landscape means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors'*. The definition applies to the whole territory of states including all urban and peri-urban landscapes, towns, villages and rural areas, the coast and inland areas. It applies to ordinary or even degraded landscape as well as those areas that are outstanding or protected. Furthermore the ELC argues that the protection, management and planning of all landscapes in Europe is a task not just for governments but for all sectors of civil society, entailing 'rights and responsibilities for everyone'.

**1.3** Detailed information about the Council of Europe, the official text and further explanatory material can be found at:  
<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=176&CM=7&DF=5/8/2007&CL=ENG>

**1.4** When the UK ratified the Convention, the Government considered that the UK need not make changes to existing policy or legislation to comply with the Articles of the Convention. However, the Government is working with stakeholders, such as Natural England and English Heritage, to see where compliance can be strengthened further during the normal course of review of

policies and legislation. UK Government and its devolved administrations, through appropriate agencies in England, Scotland, Northern Ireland and Wales, will be invited to develop their own Action Plans whose activities will further, in an incremental and creative way, implementation of the ELC.

**1.5** To assist in delivering the broad outcomes of the ELC in England Defra established a small England Project Group (EPG) comprising Defra, Natural England and English Heritage. Their respective roles in relation to ELC implementation are set out in **Annex 1**.

**1.6** Defra asked Natural England to take the lead on the implementation of the ELC in England, working closely with English Heritage, the Forestry Commission, NGO's, Local Authorities, professions and the public. Natural England is well placed to undertake this challenging, yet complementary role alongside its broader responsibilities as the Government's statutory adviser on landscapes.

## **Part 2. An Implementation Framework for England**

**2.1** Implementation of the Convention is, mainly, through ELC Articles 5 & 6 (refer **Annex 2**) and activities span four broad areas: Landscape Protection; Landscape Management; Landscape Planning and European Co-operation. Importantly, running through all of these areas is the thread of raising awareness of landscape issues through engaging a wide public audience.

**2.2** Landscape is a meeting ground between past, present and future as well as between natural and cultural influences. It has both a physical and an emotional presence and sets a context for people's lives. English landscapes have undergone past, often dramatic, change. Future landscapes will continue to be influenced by changes in climate, agriculture, housing and development needs, and by progress towards a low carbon society. The ELC provides a challenge to improve perception, understanding and care for all landscapes through improved collaboration and better public involvement as well as through integration of policies and actions.

**2.3** Success will be measured by demonstrating that all England's diverse landscapes are valued and well looked after, providing a sense of place and identity relevant to people's lives, and that their complex ecosystems function well. All landscapes will be more effectively planned, well-designed and sensitively managed with people in mind. We need a vision for England's future landscapes which will be achieved over time through actions, within the Implementation Framework, that are guided by two broad outcomes both set within the context of sustainable development:

- strengthening institutional frameworks – promoting a landscape perspective to influence spatial planning, land-use and resource management nationally, regionally and locally.

- creating an inclusive, people centered approach - raising awareness with the public and fostering community engagement as well as working with professionals, specialist bodies and politicians.

**2.4** Landscapes evolve over long timeframes as do people's perceptions of those landscapes. Through change, adaptation or creation, history is a critical component of landscape character as is any future evolution and public perception of that evolution. Measuring the successful implementation of the ELC requires clarity of destination and it will be important to put in place actions that are owned by specific organisations which can be measured incrementally. In other words there will need to be ways of recording changes, specifying responses, identifying actions and measuring 'landscape quality' objectives. A set of detailed actions have been developed by Natural England, English Heritage and the National Forest Company, and their Action Plans fit within this Framework (refer to **Annex 3**). Other stakeholders, such as communities, NGOs, local and central Government organisations, may choose to prepare their own action plans and report the actions to the EPG as part of the monitoring process.

### **Part 3. Implementing and Monitoring of the ELC in England**

**3.1** The Government considers that the UK is already compliant with the ELC requirements. However, further actions are needed to raise awareness of existing measures and to make the statutory and regulatory framework fully effective at different administrative and spatial scales. For example when national policies are reviewed (for example, Planning, Energy, Marine, CAP & Environmental Stewardship targeting, Historic Environment, Forestry, Housing, Infrastructure etc.) there is a need to ensure that the bar has been raised and that the ELC aims are incorporated.

**3.2** Many agencies, organisations, central and local government have formal roles in delivering the ELC outcomes. The England Project Group is working with these, through influence and encouragement, to strengthen the care for landscapes and to promote the connection between people and place.

**3.3** In England the key measures and actions for ELC implementation can be captured and expanded within the five headings below:

- Improving performance within the current legal and regulatory frame
- Influencing future legislation, regulation and advice, including contributing to gap analysis
- Improving the understanding of landscape character and dynamics, and the monitoring of change and trends
- Engaging people through comprehensive and accessible awareness and understanding activities as well as through, promotion, education & training.
- Sharing experiences and best practice

**3.4 Annex 4 sets out examples of initial actions taken by Natural England and English Heritage.** The framework also provides an organising

structure that will enable others to prepare and implement their own action plans.

**3.5** Implementation of the ELC in England is through the Framework as detailed in this paper, by contributing to a strengthening of landscape protection, planning and management across the UK.

**End.**

Version 2 23/02/09

## **Annex 1.**

### **The respective roles of Defra, Natural England and English Heritage, in relation to ELC implementation:**

Defra's role is to:

1. Co-ordinate the UK dimension, including UK level monitoring and evaluation.
2. Co-ordinate the Government's approach to implementation in England.
3. With the help of Natural England, lead the process of establishing an award to recognise landscape excellence as provided for in the Convention.
4. Promote the Convention in policy discussions with other Government Departments.
5. Provide basic information about the Convention on relevant web pages and in other communication channels.

Natural England's role is to:

1. Act as Project Manager to the England Project Group.
2. Promote and coordinate actions within the ELC England Framework to key audiences
3. Be a centre of expertise and advice on the best methods to implement the Convention, through researching, innovating, public participation and promoting best practice.
4. Advocate that the Convention is applied at the regional and local level through plans, SEA/EIA, development proposals etc.
5. Support Defra in establishing a landscape award.

English Heritage's role is to:

1. Contribute to the work of the England Project Group, particularly with regard to understanding and public perception, and monitoring of change
2. To be a centre of expertise for the understanding of the historic character and time depth of landscape, and their implications for the future planning and management of landscape
3. Promote the ELC, and its messages, to the historic environment sectors at community, NGO and local authority level
4. Advise local government on taking landscape issues into full account in all aspects of their decision-taking and policy

**END.**

## **Annex 2.**

### **The ELC's Articles (abridged – England implementation relevant)**

(The official text and further explanatory material can be found at:

<http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=176&CM=7&DF=5/8/2007&CL=ENG>

#### **General provisions**

##### Article 1 – definitions

- (a) landscape definition
- (b) landscape policy
- (c) landscape quality objective
- (d) landscape protection
- (e) landscape management
- (f) landscape planning

##### Article 2 - scope

Applies to landscapes everywhere and in any condition – land, inland water, marine, natural, rural, urban & peri-urban, outstanding or degraded.

##### Article 3 - aims

To promote landscape protection, management and planning and to organise European co-operation on landscape issues.

#### ***National Measures***

##### Article 4 – division of responsibilities

The ELC is implemented, in particular Articles 5 & 6, according to the UK's division of powers, constitutional & administrative arrangements & respecting the principle of subsidiarity - all actions shall harmonise with national policies.

##### Article 5 – general measures

All parties to the convention are committed:

- (a) to recognise landscapes in law
- (b) to establish and implement policies aimed at landscape protection, management and planning through adoption of the specific measures set out in Article 6.
- (c) to establish procedures for the participation of the general public, local & regional authorities, other interested parties in (b) above.
- (d) to integrate landscape into regional & town planning policies and into the cultural, environmental, agricultural, social and economic policies as well as in any other areas with direct or indirect impacts on landscape.

##### Article 6 – specific measures

- A. Awareness-raising among civil society, private organisations and public authorities of the value of landscape, their role and changes to them.

- B. Training & education
  - (a) for specialists in landscape appraisal & operations;
  - (b) multi-disciplinary training programmes in landscape policy, protection, management & planning for professionals in the private, voluntary, NGO & public sector.
  - (c) school & university courses which, in the relevant subject areas, address the values attaching to landscapes and the issues raised by their protection, management and planning.
- C. Identification & assessment
  - 1. With active participation of interested parties (Article 5(c) above) and with a view to improving knowledge of its landscapes to: (a) identify landscapes and analyse their characteristics and the forces & pressures for change; (b) to assess landscape values & involving interested parties and the population concerned
  - 2. These identification and assessment procedures shall be guided by exchanges of experience and best practice methodology (see Article 8)
- D. Landscape quality objectives to be defined for landscapes identified and assessed after public consultation & in accordance with Article 5 (c) above.
- E. Implementation. To put landscape policies into effect through introduction of instruments aimed at protecting, managing and/or planning the landscape.

### ***European co-operation***

#### Articles 7 – 9

States parties undertake to co-operate, help each other and exchange information.

- 8a. To offer/share landscape experience in technical, scientific & research matters
- 8b. To promote the exchange of landscape specialists for training & information purposes
- 8c. To exchange information on all matters covered within the ELC
- 9. To encourage trans boundary co-operation at local & regional levels and prepare and implement joint landscape programmes

#### Article 10 – monitoring implementation

Committees of experts monitor the implementation of the convention and we are ensuring that the UK plays its full role in supporting monitoring activities.

#### Article 11 – landscape award of the Council of Europe

Defra and the UK ELC Monitoring Group are working towards introducing the Landscape Award to the UK in 2010.

### ***Final clauses***

Articles 12-18 cover administrative detail, and need not be covered in the implementation plan.

**END**

**Annex 3.**

**Action Plans from Natural England, English Heritage and the National Forest Company have been made:**

<http://landscapecharacter.org.uk/ELC-action-plans>

**END**

## Annex 4.

### Examples of initial actions taken by either Natural England or English Heritage in implementing the ELC:

Natural England have:

- Developed and produced an ELC Action Plan for 2008/09 and worked with The National Forest Company in the production of their ELC Action Plan;
- Undertaken research which examined how existing statutes, regulations and policies help support the ELC and identified the main opportunities for improving performance;
- Ran three workshops on the potential of producing ELC Action Plan Guidelines;
- Established a regional ELC Challenge Fund to help “kick start” landscape activity;
- Established a Landscape Overarching Policy which endorses the ELC landscape definition and embarked on developing four detailed landscape policies including - All Landscapes Matter, Protected Landscapes, Historic Landscapes and Future Landscapes;
- Commenced a pilot study of England’s national character areas to help inform a longer term programme of reviewing and updating all character area descriptions;
- Scoped out a third assessment of landscape character change for the period 2004-2009 and the successor to the Countryside Quality Counts project; and
- Promoted and explained the ELC through conferences, events, media, promotions, publications and web based material.

English Heritage has:

- Prepared and published ([www.HEL.M.org.uk](http://www.HEL.M.org.uk)) its Action Plan for its initial implementation of the Convention between 2009 and 2013; this Plan envisages in particular promoting the ELC across English Heritage, the heritage sector and English Heritage partners, offering a centre of excellence for the historic dimension of landscape in town, country, and marine areas, building on our existing leadership in landscape survey, assessment and characterisation, and encouraging the integration of landscape approaches in all areas of government policy;
- Participated in pan-European co-operation and networks;
- Promoted the Convention at appropriate conferences, workshops and meetings, and routinely embedded reference to the Convention in appropriate guidance notes (e.g. joint guidance between English Heritage and the Highways Agency);

- Continued towards completion of its national coverage of historic landscape, seascapes and urban characteristics;
- Commenced the development of policy, methods and practice that contribute to the understanding, protection, management and planning of landscape; and
- Commenced the better integration of the ELC concept of landscape into its wide-ranging research activities.

END