

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

**This document has been developed by Natural England in partnership with Defra and English Heritage.**

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**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.**

### **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** Whilst the Government considers that the UK is already compliant with the ELC’s requirements, it wishes to facilitate a strengthening of performance through policy and practice across as wide a section of society as possible. 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 has 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 has 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 of 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 will be developed by Natural England and English Heritage and their Action Plans will 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 will have formal roles in delivering the ELC outcomes. The England Project Group will need to work 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** The initial actions, set out in **Annex 4**, will be undertaken, largely, by the EPG and coordinated by Natural England as its project manager. Over time the framework will also provide an organising structure that will enable others to prepare and implement their own action plans.

**3.5** Implementation of the ELC in England will be through the Framework as detailed in this paper: It will contribute to a strengthening of landscape protection, planning and management across the UK.

**End.**

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## **Annex 1.**

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

Defra's role will be to:

1. Co-ordinate the UK dimension, including UK level monitoring and evaluation. (To be determined after monitoring/evaluation comments returned i.e. monitoring ELC or landscape change)
2. Co-ordinate the Governments approach to implementation in England.
3. 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 communications channels.

Natural England's role will be 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 best methods how 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.

English Heritage's role will be 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. Advising 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 will be implemented, in particular Articles 5 & 6, according to the UK 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 commit to

- (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

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

- 8a. offer/share landscape experience in technical, scientific & research matters
- 8b. promote the exchange of landscape specialists for training & information purposes
- 8c. to exchange information on all matters covered within the ELC
- 9 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. Our plan needs actions to ensure that the UK plays its full role in supporting monitoring activities.

Article 11 – landscape award of the Council of Europe

Defra is already talking to the Landscape Institute about the introduction of the Landscape Award to the UK.

***Final clauses***

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

**END**

**Annex 3.**

**Draft (model) Action Plans from Natural England, English Heritage and the Forestry Commission to be added by end of 2007. Invited others to be added during 2008**

**END**

## Annex 4.

### Initial Actions within the ELC Implementation Framework

The responsibility for actions under each of the headings below is identified, together with target date and the relevant ELC article for reference e.g. *[NE/end Oct 07/ Recognise landscapes in law (5a)]*. The actions, generally, have equal weight but some will need to be undertaken in sequence for optimum results and may be subject to constraints of staffing, resources and time. Many of the actions will form part of either Natural England's or English Heritage's first ELC Action Plan.

- Improving performance within the current legal and regulatory frame
  1. Scan and list statutes, regulations and policies that both directly and indirectly recognise landscape protection, management & planning.  
*[NE/end Aug 07/ Recognise landscapes in law (5a)]* **Completed**
  2. List responsibilities for delivering landscape policies at national, regional and local levels.  
*[NE/end Oct 07/ Establish and implement policies aimed at landscape protection, management and planning. (5b)]*
  3. Identify the main opportunities for improving performance
    - gather evidence of poor performance
    - especially effective actions to raise performance*[NE/end Oct 07/ Establish and implement policies aimed at landscape protection, management and planning. (5b)]*
  4. Identify what can be achieved through the existing regulatory processes of SEA and EIA etc.  
*[NE/end Oct 07/ Establish and implement policies aimed at landscape protection, management and planning. (5b)]*
  5. List mechanisms that guide regional and local authorities on how to incorporate connect and respect landscape in:
    - i. Spatial Planning Strategies LDFs and Development Plans, etc.
    - ii. Agriculture, transport, energy, marine, urban growth areas/points (national and regional), Thames Gateway, HMR Pathfinders etc*[NE to identify and prioritise within the LDF cycle/ end Oct 07/ Establish and implement policies aimed at landscape protection, management and planning. (5b)]*

6. Draft Action Plans on how ELC implementation will be taken forward by Natural England, English Heritage and the Forestry Commission to be developed.  
*[NE, EH, FC/ end December 07// Establish and implement policies aimed at landscape protection, management and planning. (5b)]*
7. Invite others (OGDs/Agencies/Local Authorities/ LGA/ NGOs) to prepare their own Action Plans.  
*[NE & EH/ March 08/ Establish and implement policies aimed at landscape protection, management and planning. (5b)]*
- Influencing future legislation, regulation and advice, including contributing to gap analysis
  8. Identify/list current Government reviews and imminent new policy developments where landscape(s) is/are relevant.  
*[NE to identify by end Aug 07 and prioritise by end Oct 07/ Establish and implement policies aimed at landscape protection, management and planning. (5b) **Part 1 Complete***
- Improving the understanding of landscape character and dynamics, and the monitoring of change and trends
  9. To develop scope, extent, method and timing of work that could capitalise on the existing national and local (county, unitary and district) Historic Landscape Characterisations and Landscape Character Assessment, urban as well as rural by:
    - completing gaps in coverage
    - synthesising for a variety of audiences and purposes
    - draw out regional and national overviews
    - using them to frame more local community-driven character assessment*[EH with NE to develop scope and timing of future work by end April 2008 / Identification and assessment ....with a view to improving knowledge (6c)]*
  10. Develop and scope how research could discover how people's perceptions, are formulated and, in particular, begin to explore what are the 'aspirations of the public with regard to landscape ...'  
*[NE and EH, implementation plan for a programme of opinion research by end April 2008 / formulation by the competent public authorities of public aspirations (1c) and 'define landscape quality objectives (5D)]*
  11. Examine how existing methods of using various understandings of landscape (public as well as professional) such as CQC and Historic Environment at Risk to monitor recent and current change to landscape could be usefully refined and adapted.  
*[EH, NE and Environment Agency to establish implementation plan by end Aug 2008 / 'to take note of changes' (6Ciii)]*

- Engaging people through comprehensive and accessible awareness and understanding activities as well as through, promotion, education & training.

12. Consider how, a 'visioning' process that leads to a picture of what England may look like if the ELC was implemented well, can be usefully developed.

*[NE/end Nov 07/ Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

13. Develop a communications plan to promote the Convention and relevant landscape policies and tools to key stakeholders/audiences. (N.B. the general public has some interest, but more productive targets are likely to be professions (planners, engineers etc), local authority members, NGOs etc. through conferences, events, media, promotions, publications, web-based material as necessary)

*[NE & EH /end Nov 07/ Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

14. Explore how an effective England Landscape Forum, that will be open and fully 'owned' by all interests, be developed utilising existing networks e.g. the ICOMOS-UK/IUCN-UK, Landscape Working Group.

*[NE, EH/ Defra/end Jan 08/ Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

15. Develop an annual (standing) national landscape conference with the first in spring 2009.

*[NE and EH to commence discussions by end Oct 07/ Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

16. Consider how community involvement and activities at scales below an England level can be developed.

*[NE/ end March 08/ Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

17. The 2008 Landscape Award resourced, supported and promoted. *[Defra, with the Landscape Institute & RTPi/RIBA/CABE / Award to be launched in 2008. Timeline to be provided when CoE agree rules. Raise awareness of the value, role and changes to landscapes - among civil society, private organisations and public authorities (6A)]*

18. Identify and list opportunities, mechanisms and/or establishments in England for training or study in landscape policy, protection, management and planning.

*[NE/ end November 07/ Promote landscape training & education for: (a) specialists in landscape appraisal & operations through multi-disciplinary training programmes in landscape policy, protection, management & planning; (b) professionals in the private, voluntary, NGO & public sector and; (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. (6B)]*

19. Identify and list courses which cover, study or influence learning of landscape protection, management and planning and identify gaps.  
*[NE/ end November 07/ Promote landscape training & education as above text....].*

- Sharing experiences and best practice

20. Consider how capacity building activities in (e.g.) the local government, NGO and community sectors could be strengthened. Work to identify current activities and approach to strengthen institutional frameworks (2.3 above) requires scope, plan and resource.

*[NE, EH, Defra, CLG / end Feb 2008/ identify current scale and spread of appropriate expertise and consider how to strengthen this where necessary / Provide mutual assistance, cooperation & information exchange; (a) offer/share landscape experience in technical, scientific & research matters;(b) promote the exchange of landscape specialists for training & information purposes; (c) exchange information on all matters covered within the ELC; (d) encourage trans boundary co-operation at local & regional levels and prepare and implement joint landscape programmes.(7 to 9).*

21. Participate, when appropriate, in trans-frontier programmes to strengthen implementation through leaning from neighbours.

*[EH, NE/26 May 08/co-organisation of an English workshop (in Devon: 'Landscape Dynamics') as part of the French government's transfrontier programmes. Also to consider an English programme with (e.g. Ireland, Netherlands, Norway) and between UK members. Provide mutual assistance, cooperation & information exchange; (a) offer/share landscape experience in technical, scientific & research matters;(b) promote the exchange of landscape specialists for training & information purposes; (c) exchange information on all matters covered within the ELC; (d) encourage trans boundary co-operation at local & regional levels and prepare and implement joint landscape programmes.(7 to 9).*

22. Participate, when appropriate, in annual Council of Europe ELC events/workshops and conferences.

*[EPG/ Provide mutual assistance, cooperation & information exchange as above text.]*

23. Provide technical material for CoE website.

*[EPG/ongoing/ Provide mutual assistance, cooperation & information  
exchange as above text....*

**END**