



Image ▲ Agricultural landscape, Roz le Couesnon, Brittany, France

The European Landscape Convention - its origins, focus and relevance at European level to land use and landscape planning

This January saw the latest in the LCN's ongoing series of topical workshops. Held at Austin Court, Birmingham, the workshop was the first LCN event since the expansion of the network's focus to include the European Landscape Convention, hence the theme of 'The European Landscape Convention and its relevance to land use and landscape planning'. The well-attended workshop saw lively discussion and a range of presentations on the Convention and its implementation, from national policy to grass roots, parish-scale landscape character assessments. Professor Michael Dower, former Director General of the Countryside Commission and co-author of the first draft of the Convention, opened the proceedings with a paper that described the history of the convention, discussed its focus and inclusive definition of landscape, and gave a European perspective on the Convention's relevance to land use and landscape planning. Michael Dower has given permission for his paper to be reproduced in full here, with the addition of two explanatory diagrams.

Origins of the Convention

The European Landscape Convention sprang from two distinct initiatives, in the north and the south of Europe, in the period 1990 to 1992.

The northern initiative was sparked by the National Trust's seminal Conference 'Europe Preserved for Europe', held in 1990. On that occasion, people from four bodies – the Countryside Commission, the Landscape Research Group, the European Federation of National and Nature Parks (now called Europarc), and ECOVAST (European Council for the Village and Small Town) – began to discuss the idea of a Convention for the Protection of Europe's Rural Landscapes.

That led to the Conference on 'Landscapes in a New Europe: Unity and Diversity', held at Blois in October 1992, on the joint initiative of the Landscape Research Group and the French organisation Paysage et Aménagement, where Adrian Phillips set out the reasons for, and the possible scope of, such a Convention. Adrian (in his IUCN capacity) and I (having succeeded him at the Countryside Commission) then pressed the Council of Europe to take up this cause.

Our approach to the Council of Europe coincided with the separate southern initiative by the



Regions of Andalusia, Languedoc-Roussillon and Veneto to draw up a Mediterranean Landscape Charter, of which a draft was presented at a conference in Sevilla in June 1992. A final version of the Charter was approved at the First International Congress on the Mediterranean Landscape, held in Montpellier in June 1993.

The outcome of these two approaches was the setting up in 1995, by the Congress of Local and Regional Authorities, of a Working Group to prepare a European Landscape Charter or Convention. I had the privilege to be an Expert Adviser to the Group; and, with Yves Luginbuhl, to prepare the first non-legal draft of the Convention. I salute the Working Group, and particularly my good friend Riccardo Priore, Secretary of the Group, who is with us at this Workshop.

In preparing that first draft, I drew directly on the experience in this country, notably:

- our commitment through National Parks and AONBs to protecting not only wild but man-made landscapes;
- our (by then) well-established practice of countryside management, pioneered by Reg Hookway as Director of the Countryside Commission by reference to coasts, uplands and urban fringes – this management being seen as the essential complement to town and country planning;
- our agri-environment schemes, which had by then become a mainstream activity based on the pioneering in New Agricultural Landscapes, the Wildlife and Countryside Act, Countryside Stewardship and much else;
- our commitment to redemption of despoiled or incoherent landscapes, through the Derelict Land Act, the urban fringe experiments, the Groundwork family, the Community Forests, the National Forests and their equivalents in Scotland and Wales;
- The New Map of England, followed (at the time that we were writing the draft Convention) by the Countryside Character programme and the parallel work on Natural Areas by English Nature, which established the idea of landscape units or areas and which drew upon earlier professional thinking about landscape analysis and assessment.

From these sources came the definition of landscapes; the principles of identification and assessment of landscapes, and statement of landscape objectives; and the central trilogy of landscape protection, management and planning. The Working Group agreed three further crucial points — that it should be a Convention, not a weaker Charter; that it should apply to all landscapes; and that the action should spring from the people as well as from governments.

The outcome, after much debate, was the Convention, signed in Florence in October 2000, and the subsequent events — the build-up of signatures and ratifications to the point at which the Convention came into operation in 2004; the steady growth in number of the states who are signed up; and the Conferences and Workshops organised by the Secretariat. The next of these Workshops, to be held in Slovakia in April this year, is on the same theme as this Workshop, namely “Landscape in planning policies and governance: towards integrated spatial management”. We here in Birmingham can make a useful input to that event.

The focus of the Convention

The stated aim of the Convention is to promote the protection, management and planning of Europe’s landscape, and to organise European co-operation on landscape issues.

The Convention relates to all landscapes — urban, peri-urban and rural; the ordinary and even the despoiled, as well as the exceptional. Landscapes are perceived as the setting of people’s lives, crucial to the quality of those lives: so, the general public should be encouraged to take an active interest part in caring for them. Moreover, Europe’s landscapes are of value to all Europeans, being cherished outside the locality and beyond national borders: therefore, public authorities at all levels should take action to protect, manage and plan landscapes so as to maintain and improve landscape quality, as part of the process of sustainable development.

The parties to the Convention are the member states who sign and ratify it. They commit themselves:

- to recognise landscapes in law as an essential component of people’s surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity;
- to establish and implement landscape policies aimed at landscape protection, management and planning;
- to establish procedures for of the general public, local and regional authorities, and other parties to participate in defining and implementing landscape policies;
- to integrate landscape into regional and town planning policies and into cultural, environmental, agricultural, social, economic and other policies which may have direct or indirect impact on landscape (this fourth commitment is central to this Workshop’s purpose).



Each member state is expected to implement the Convention according to its own legal system and division of powers, respecting the principle of subsidiarity. Thus much of the action may lie with regional or local authorities – who are the prime guardians of the planning system.

The Convention's focus is on 12 active verbs, which I will briefly rehearse (See also figure 1 – 12 things to do that will make a reality of the ELC);

1. to **recognise** landscapes in law;

2. to **integrate** landscape into all relevant policies;

These are jobs for government, and very demanding ones. It is relatively easy to persuade Ministers of Agriculture or Forestry to introduce landscapes into their policies, for example (for EU member states) in Axis 2 of the Rural Development programmes. But the challenge is to get landscapes also into the policies for such fields as transport, water supply, energy, coastal defence, and (crucially) spatial planning: indeed, this is the focal issue for this workshop.

My next seven verbs define the action that is needed everywhere, for every landscape. The action on them lies mainly with public bodies, but working closely with all stakeholders. The key verbs are:

3. to **identify** landscapes, that is to describe their character and the key elements in that character;

4. to **assess** the landscapes, that is to analyse what contributes to, and what detracts from, their quality and distinctiveness;

5. to **define objectives** for landscape quality, after public consultation: these objectives should form the frame for the main process of physical action, embodied in the next three verbs;

6. to **protect** what should be protected;

7. to **manage** what needs management in order to be sustained;

8. to **plan**, in the sense stated in the Convention, namely to take strong forward-looking action to enhance, restore and create landscapes;

9. to **monitor** what is happening to the landscapes, in terms of change and the impact of that change upon the character of the landscapes and upon the achievement or not of the stated objectives.

These seven verbs are, for me, the heart of the matter. They are an integral package, in that:

- the objectives for landscape quality must be based upon the sound identification and assessment of landscapes, and of external needs which may need to be met within the landscapes: I will return in a moment to this crucial issue;
- in turn, the objectives form the base for the action to protect, manage and plan: most landscapes in Europe need some action within all three of these verbs;

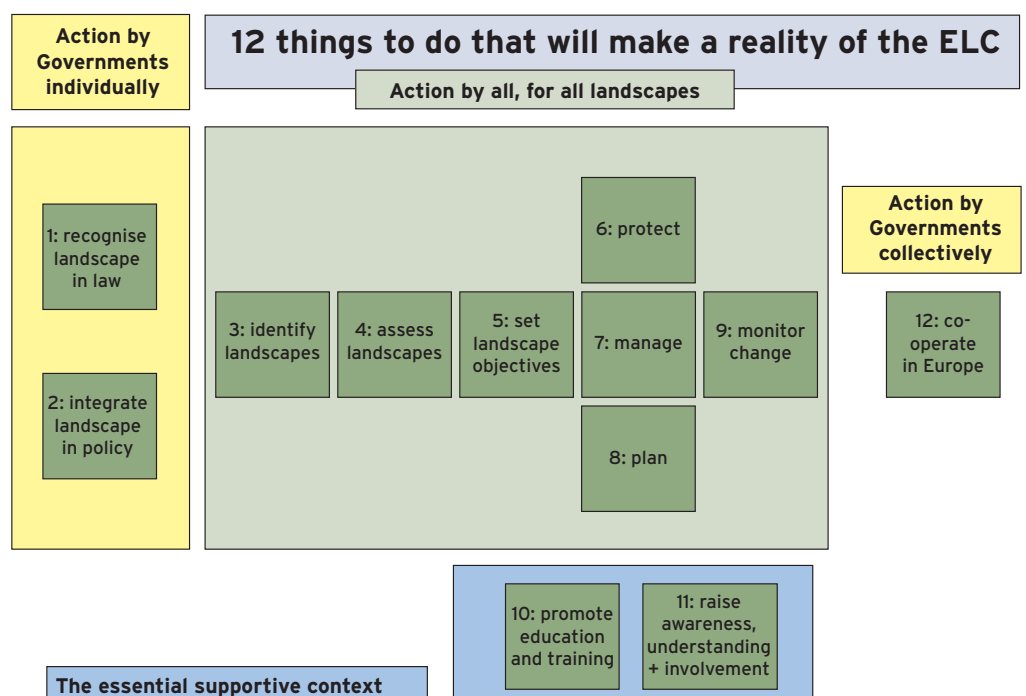


Figure 1 ► 12 things to do that will make a reality of the ELC

- monitoring is vital, in order to judge the results of action within all the preceding verbs and to provide a basis for sharpening policy and action wherever that is needed. I regret the lack of emphasis in the Convention upon monitoring within the member states, and I believe that we are only at the beginning of the monitoring process in most countries. I regret also what I perceive as the inadequacy of the mechanisms for monitoring at the European level.

The next two verbs provide an essential supportive context.

10. to promote education and training

The tasks which are set by the earlier verbs are indeed demanding. Landscapes, and the processes that affect them, are so diverse and complex, so linked to the cycles of nature and the demands of people, so subject to change as policies and human actions evolve, that the understanding of them is a major inter-disciplinary challenge. It is a great opportunity for the universities, professions and schools of Europe;

11. to raise public awareness and participation

This is a great task for both public bodies – at all geographic levels – and for NGOs and the world of education. It is a vital task for three main reasons – democracy, in the sense that landscapes belong to everyone; co-responsibility, in that every citizen, every property owner, every user of land, can influence the look of the landscape for good or ill; and governance, in that concern within the population can lead to a commitment in government. We have a long way to go in raising not only public awareness of the landscape, but active public involvement in the action related to landscape which I described earlier.

The final verb is ...

12. to cooperate at European level, through exchange of experience, of information and of specialists.

There is much to be gained through such cooperation, notably between governments; between regional and local authorities; between Universities; and between non-government organisations. I hope that we will hear from Riccardo Priore and others about how this cooperation is shaping up. The Landscape Character Network can contribute much to, and may gain much from, these exchanges.

The link to spatial planning

I mentioned that the statement of objectives for landscape quality is a crucial step in the process (see figure 2 – External needs: the link to Spatial Planning). These objectives must be based upon the sound identification and assessment of landscapes, which is the heart of the landscape character idea. We might call this an internal process, in that one could identify within a landscape the features that need protection, management or planning, and state objectives accordingly. This is indeed the prime process in say a National Park or a National Trust estate. But most landscapes are affected also by external needs, such as demands for expansion of towns or production of renewable energy, or (more subtly perhaps) by external forces such as climate change.

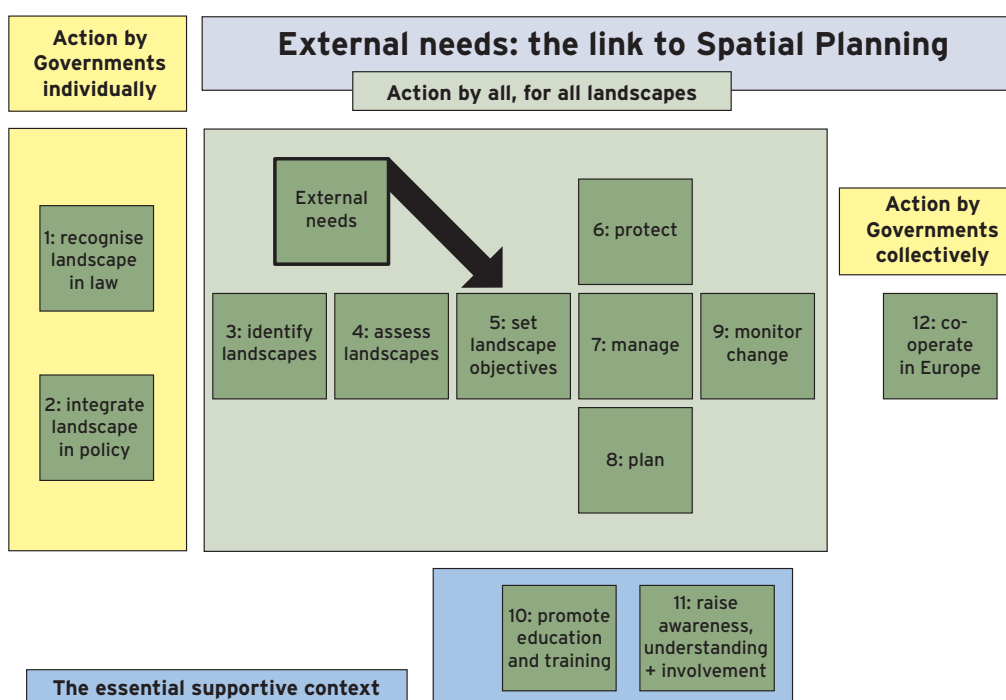


Figure 2 ► External needs: the link to Spatial Planning

The statement of objectives must take account of these external needs and forces as well as the internal logic of landscape character, and must strive to reconcile the two, so that change to the landscape leads to enhancement, not diminution, of its distinctive character. This is the crucial meeting-point between landscape care and spatial planning. It is the politicians and the spatial planners, not the landscape specialists, who decide where external needs are to be met. If landscape concerns and landscape character are to be reflected in the hard choices that have to be made, they must become integral to, rather than afterthoughts and victims of, the spatial planning process and of the policies which drive external needs, such as those related to energy, transport, water, agriculture and rural development.

The European perspective

For the final part of this talk, I am asked to offer a European perspective on this link between the Convention (and what it represents) and spatial planning. I do so by reference first to the Council of Europe, and then to the European Union.

Council of Europe.

The Convention is an instrument of the Council of Europe. This Council, with 47 member states, covers a wider area than the European Union. Its primary focus is on ideas, not on hard-nosed policies or massively-funded programmes. The formal agreements between its member states take the form of Conventions or Charters, which have no binding legal force, unlike the Directives of the European Union. A state which ratifies a Convention cannot be taken to court if it fails to honour the commitments thereby made.

Nevertheless, the Convention has attracted, so far, formal commitments by 28 of the Council's member states to do the things that I mentioned earlier, namely to recognise landscapes in law; to establish and implement landscape policies; to enable the general public, local and regional authorities, and other parties to take part in shaping and pursuing these policies; and (crucial to our purpose today) to integrate landscape into regional and town planning policies and a wide range of other policies.

The implementation of Council of Europe Conventions is overseen by inter-governmental Committees. The European Landscape Convention has no Committee of its own, which I and some others regard as a serious weakness. Responsibility for its oversight is vested in three Committees – those for Cultural Heritage (CDPAT), Biological and Landscape Diversity (CO-DBP) and (most relevant to our purpose today) Regional Planning (CEMAT). Each of these Committees has a central focus on its own main concern. Each of them has brought landscapes into its debates and concerns, for example some CEMAT workshops have included a focus on how landscape concerns can be integrated into regional and spatial planning. But my strong impression from these events, and from the series of “Workshops for the Implementation of the European Landscape Convention” organised by the Council of Europe staff, is that they lack the cutting edge that would really impel landscape concerns into the heart of spatial planning and other policies at national, regional or local levels. The willingness and ability of governments to achieve that ‘centralising’ of landscape is driven more by their own commitment to the subject (pre-dating the Convention), and will be increasingly influenced – for good or ill - by the activities of the European Union.

European Union.

Landscape does not figure among the Directives of the EU. There is no equivalent for landscape of the Birds and Habitats Directives or of the Natura 2000 programme, under which some 30% of the EU territory is recognised as meriting protection of its ecological value (though with inadequate funding attached to that recognition). Nature conservation has for long been recognised as a major joint concern of the EU member states. Recognition of landscape is still relatively weak, although it has risen over the years since Adrian Phillips first achieved the insertion of a Landscape chapter into the Dobbris Assessment of 1995.

To put this into perspective, one should recall the three driving concerns of the leading politicians in the European Union. These are:

- to make the EU “the most competitive and dynamic knowledge-driven economy” in the world (the ‘Lisbon agenda’ agreed in March 2000);
- to strengthen economic, social and territorial cohesion by reducing the grave disparities in income, living conditions, infrastructure etc between the rich and successful and the poor and declining regions of the enlarged Union;
- to protect the environment and achieve a more sustainable pattern of development (the Gothenburg agenda of June 2001): in this the priorities are to combat climate change, to ensure sustainable transport, to address threats to public health and to manage natural resources more responsibly.

Landscape does not figure among even the sub-objectives of these major policies. If considered at all at high political levels, it may be seen as a factor in how development is carried out, rather than what development should take place. Moreover, the strong trend to subsidiarity, and delegation of





policy implementation to the levels of member states and regions, means that landscape concerns must be picked up mainly at those levels.

Nevertheless, there are pressure points at European level which offer possible entry for landscape concerns I cite three of these:

- The national rural development programmes 2007 to 2013, now coming into operation in all the EU member states, which offer significant funding for agri-environment schemes (Axis2) and for such tasks as village renewal or heritage conservation (axis 3): it is vital that landscape character and landscape quality objectives are taken into account in this activity;
- The process of Environmental Impact Assessment, which is increasingly being applied – an obligation under EU law - not only to projects, but also to policies and programmes: we need to ensure that the impact on landscape character is integral to this process;
- The European Spatial Planning Observation Network (ESPON), funded by the European Commission, has launched an ESPON 2013 Programme which will “support policy development in relation to the aim of territorial cohesion and a harmonious development of the European territory”. This could be used to bring landscape character within the criteria for assessing harmonious development.

But I end by saying that the greatest opportunity for the collective forces of Europe to be applied to the planning of landscape lies with the massive expenditure under the European Regional Development Fund, which operates in all Member States, and the Cohesion Fund which co-finances mainly transport and environment projects in Member States whose GNP is less than 90% of the EU average. That is partly why I am currently working with others in the CURE project – Convention for a Sustainable Urban and Rural Europe – of which the aim is to offer, at the time of the Mid-Term Reviews of EU programmes in 2009-10, recommendation on policy frameworks and measures which will assist a sustainable approach to the future of urban and rural areas in Europe, achieved through effective partnership between governments and civil society. Landscape, with its power to link urban and rural areas and interests, is one of the ten main themes that we intend to pursue within this project.

The proceedings of the LCN Workshop ‘The European Landscape Convention and its relevance to land use and landscape planning’ are available at:

<http://www.landscapecharacter.org.uk/node/163>

