



Consultation response form –Protected Landscapes draft policy.

Please submit your comments to sarah.manning@naturalengland.org.uk

Closing date 5th October 2009.

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Policy 1. England's nationally protected landscapes are of intrinsic value and deliver an important range of public benefits associated with a healthy and accessible natural environment. Natural England will continue to be a determined champion for their conservation, management and special status.
Comments: <ul style="list-style-type: none">• Prioritise the special qualities of protected landscapes. The policy overall needs to emphasise that the protected landscape (PL) family contains places that are very special indeed. PLs exist because many of their resources are special and function in a way that depends on their existing environmental and social relationships being maintained in an "appropriate and productive condition". Any attempt to develop the resources of PLs to provide or enhance their existing environmental goods and services role must therefore be achieved in a manner which does not compromise the integrity (of the outcomes) of these existing relationships. Accordingly the delivery of enhanced ecosystem services must be achieved in a manner that is consistent with the protection and enhancement of the PL's special qualities first, and not to their detriment.• Work with others. Natural England and all the other national countryside agencies – NIEA, CCW and SNH - should recognise themselves individually and collectively as the champions of these principles and working collectively to achieve them.
Evidence to support comments: <ul style="list-style-type: none">- Consultations within EUROPARC Atlantic Isles Board, August-September 2009- Feedback from EUROPARC Atlantic Isles members Cardiff Seminar March 2008, workshops around the UK 2008-2009
Policy 2. Protected landscapes are capable of delivering more for the nation. As they evolve, they should demonstrate exemplary environmental management, adaptation to and mitigation of the effects of climate change, and maximise their contribution and relevance to the needs of 21st century society, both within and outside of designated areas.

Comments:

- **Public engagement.** PLs could and indeed should do more, assuming they have adequate resources. Much of this policy suggests a broad case that will need to be developed and then disseminated to different audiences, including the general public. Although the ramifications appear to be mainly for people, people themselves seem to be missing from the policy. Many PLs are used to work that involves public engagement, but not all. If the effect of implementing this policy is that they will need to do more of this kind of work then it needs to be more explicit; the words 'community', 'engagement' and 'participation' should be in draft policy 2. The policy needs elaboration, as is the case with the other draft policies; this is the policy that suggests a lot of actual work for PLs, but it is substantially less developed and detailed than the more technical, narrowly-focused policy 3.
- **Working with other, non-protected landscapes on climate change.** Whilst PLs are likely to have a major role to play in combating climate change, it should not be assumed that they are the only areas which are suited to this task. There may be other areas which provide better opportunities for promoting certain aspects of climate change adaptation and/or mitigation. Deciding the role of PLs in this respect should therefore be undertaken with the full knowledge and understanding of the "best options" to solve the problems.
- **Keep the focus on the core of what makes them special.** Widening the role of PLs should be subject to the caveat mentioned above i.e. the primacy requirement that the resources within their boundaries are managed in a manner which ensures that the resources which make PLs special, remain so.

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Policy 3. Elements of public policy, legislation and guidance that govern protected landscapes urgently require review and clarification so that they can address the challenges of today and maximise their potential within and beyond the designation, as well as ensuring that all public bodies understand their own responsibilities in supporting stewardship of protected landscapes.

Comments:

- **Natural beauty.** Whilst we welcome new thought as to tightening up phrases that are legally vague, we would not want to see the concept of natural beauty thrown away, and believe that a new focus for designation can and should incorporate and develop that concept.
- **Duty of care.** Certainly a 'duty of care' needs to be established, but the opportunity to clarify the phrase 'have regard to', prevalent in AONB legislation, must be taken.
- **Collaboration.** Whilst not disagreeing with the principle of refreshing of the 1949 designation legislation, it is important that any such action should be done collaboratively with all the other national Countryside Agencies and not unilaterally just by Natural England. As to how the foundations of the Act might be updated is a matter which EAI would be pleased to discuss with the relevant national countryside agencies.

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Policy 4. Statutory protection should be applied to landscapes of national significance that meet the statutory designation criteria and where designation is genuinely needed and/or especially desirable. Where necessary we will use our legal powers to achieve this.

Comments:

- **Landscapes of greatest national importance.** This should be translated into a more complete and definitive statement about the status of designated landscapes in England in the context of the ELC. It should recognise that other areas outside PLs may have qualities of local importance but that PLs represent those areas which have the greatest collection of assets which qualify them to be “landscapes of greatest national importance”.
- **Be more positive.** The policy seems unduly circumspect, even negative, for a policy that is *for* protected landscapes. There appears to be unwritten consensus over areas that are nominally eligible for PL status; the commonly stated figure is that we have a suite of PLs that is ‘more or less there – around 80%’. 20% still seems like quite a gap; one in five counts as a major omission. EAI believe that the benefits of designations should be brought to bear where warranted, and would like to see something more positive here, something that sets out an intention to extend designations. In particular, the policy should set out clearly an intention to:
 - list the areas previously identified in Hobhouse that remain worthy of designation and whose designation should be pursued
 - consider the identification of nationally important seascapes and where existing coastal PLs might be extended to embrace the marine environment
 - consider what kinds of areas might become suitable for designation for example where climate change brings about substantial change on low lying coasts or where new landscapes of national importance through changing environmental or cultural circumstances are created ,

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Policy 5. The management of Heritage Coasts needs to be reviewed and set in a new context reflecting recognition of the importance of the marine and coastal zone.

Comments:

- **Clarify what actually needs to be done to develop greater partnership.** We agree that more needs to be done to incorporate Heritage Coasts and manage them as part of the PL family. The draft policy is a bit vague, however, referring only a review of management, particularly in the light of the Marine and Coastal Access Bill. Heritage Coast managers are already involved to some degree in existing networks of PLs, including EAI. What more could be done to work in greater partnership, particularly with those stretches outside PLs?
- **Expand the idea in policy 5 beyond Heritage Coasts to seascapes more generally.** We agree that the management of heritage coasts needs to be reviewed. In doing so it will be important to recognise that the majority of them are subsumed within the management of AONBs and NPs and that they have no statutory basis. The review will need to consider their relevance as a separate definition in the context of the wider debate on seascapes that we advocate. Whatever the outcome of the review it will be important to retain the principles that underpin the HC concept, namely:
 - the protection of our finest undeveloped coastline
 - providing for and managing public access, enjoyment and understanding
 - securing the good health of our coastal waters
- We believe that there is a huge potential in the designation of nationally important seascapes, especially where existing PLs meet the sea. This would pick up on both the ELC, which takes “landscape” to the 12 mile limit and follow the IUCN Category V definition of landscapes/seascapes

“an area of land with coasts and seas as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area”
- Dealing with HCs alone would not get to the heart of “seascapes” and the potential for designating nationally important ones. The notion of seascapes is relevant to the whole of the coast, not just the HCs. Furthermore by looking at seascapes as a whole would enable the realisation of the opportunities that will be provided by the new marine planning system for the planning and management of the marine dimension of coastal protected landscapes based upon their functional relationship with the sea, many of which are fundamental to the nature of their special qualities and hence landscape/seascape significance.

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Policy 6. Partnership working is central to achieving the most effective representation, governance, management and delivery mechanisms for protected landscapes.

Comments:

- **EAI as a partner.** EAI are glad to see a commitment to this style of working made so explicit in the draft policy. We consider ourselves to be in a good position to help with this collaborative effort, and we note that we are mentioned as such. We are already working on a number of initiatives which in effect deliver and expand this draft policy, and are aiming to do even more over the coming years.
- **Focus on planning.** Much more can and should be done to mainstream landscape-level thinking in the planning system, especially at regional level; this could be more explicit in the first paragraph.
- **Bring the associations together.** Partnership and collaboration will be most effective when the different associations and organisations are given a clearer steer to work together towards joint outcomes.
- **Could be expanded.** The concept of partnership and collaboration could usefully be unpacked further in this policy. There is a need to work in partnership with others that are outside the PL family; other designated areas, other landscape-scale projects, others throughout Europe and non-designated, neighbouring areas.
- **Greater sharing.** PLs (and the Authorities which administer and manage them) have neither a monopoly of wisdom nor all the relevant resources to deliver a sustainable approach to their management. Embracing the knowledge of others and working with them is just as important as sharing any intelligence acquired within PLs.

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Policy 7. Protected landscape organisations have an important role, individually and collectively, in supporting the implementation of the European Landscape Convention at an England, UK and international level.

Comments:

- **Need to acknowledge the implications.** EAI agree that the ELC is a very useful guiding tool for landscape work, and one that PLs should incorporate in their approaches. We are already involved in discussions about how best to implement the ELC and make the most of its contents. However, this Policy needs to be more explicit about the major ramifications of this approach; first that PLs will need to work more extensively outside their borders (this would be particularly timely, given the agendas which are emerging with regard to the development of Local service Board delivery arrangements), and second that the creation of publicly-generated indicators of improving landscape quality lies at the root of the ELC.

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Other comments you wish to make on this policy consultation.

Comments:

EAI welcome this document as a positive statement in support of the role and value of PLs in England. We have some general comments on the policy we would like to make:

- **Be visionary.** Whilst the document is a solid supportive statement in respect of PLs, it is somewhat neutral / bland in terms of its visionary interpretation of the role of PLs. It would benefit tremendously if it was more ambitious in terms of defining the pivotal role and function of PL in terms of the national agenda for landscapes and their ambassadorial role in terms of the conservation and stewardship of their respective areas.
- **Focus on special qualities.** It is surprising and somewhat disconcerting that the issue of special qualities is hardly mentioned in the document as these are the very qualities which differentiate PLs from their surrounding areas. More specific reference should be made in the statement to the need for the protection and enhancement of the special qualities of PLs and the fact that these should be recognised as a future management priority, if the future integrity of the PLs are to be safeguarded. The Introduction and subsequent Policy statements 1 and particularly Policy 2 both appear to imply that PLs should become recognised and “managed” as the engine houses for the delivery of an “extra” national agenda for environmental goods and services and measures which ensure improved ecological connectivity. Whilst this may be acceptable, PLs exist because many of their resources are special and function in a way that depends upon their existing environmental and social relationships being maintained in an “appropriate and productive condition”. Any attempt to develop the resources of PLs to provide or enhance their existing environmental goods and services role must therefore be achieved in a manner which does not comprise the integrity (of the outcomes) of these existing relationships. This is a fundamental principle that should be embedded in the NE document.
- **Tying the policies together.** Allied to the above point, EAI believe that PLs can contribute much to the agenda laid out in *All Landscapes Matter*, and also that described in *Future Landscapes*. We think that for these policies to be a success PLs will necessarily have to play a major role in realising their objectives. Although we have not seen a draft of the *Historic Landscapes* policy, we suspect that this is also true for that document. This fact should be made more explicit in this Policy, because there is a need to see them as part of a whole, and PLs to be seen as a key delivery mechanism for the whole landscape policy for England.
- **Seascapes.** Given:
 - the fact that the European Landscape Convention embraces the marine environment in territorial waters
 - the increasing acceptance that the coastal protected landscapes of England have a very important “marine dimension”
 - the importance attributed to the need to plan and manage the marine environment during the passage of the Marine Bill; and
 - the recognition of “seascapes” in the High Level Objectives for the

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