

LANDSCAPE ALLIANCE IRELAND POSITION PAPER ON PROPOSED NATIONAL LANDSCAPE STRATEGY

INTRODUCTION

The following is an adapted version of the position paper circulated at the first meeting of the National Landscape Strategy steering group and consultative panel convened by the Department of Environment, Heritage & Local Government on Tuesday 29th April 2008. The changes made in the original document have been minor.

We very much welcome the proposal to develop a National Landscape Strategy for Ireland.

Landscape Alliance Ireland has proactively advocated a landscape policy-led approach to better landscape management in Ireland for over since 1995 through its pamphlets, lobbying, forums, surveys, publications, web site and involvement with the European Landscape Convention.

Our most recent action has been the development of a 'Landscape Circle' Study Guide for use at community and other levels. A universal version of this guide has been accepted by the Council of Europe secretariat for possible Europe-wide use – this will be put before the member states next year.

We have also developed a 'marking system' that can be used to assess the success or otherwise of a state's implementation of the Convention. This will be placed on this web site in the near future. It will be of use for all sectors and its use is intended to provoke a more determined implementation of the convention across Europe. We anticipate its being of particular value for the members of CIVILSCAPE - the new European network of landscape NGO's.

We note and strongly approve of the inter-departmental participation in the NLS Steering Group/Consultative Panel.

Landscape Alliance Ireland strongly advocated an inter-departmental approach in the mid 1990s and the one and only inter-departmental meeting was convened by Minister of State, Jimmy Deenihan following representations from Landscape Alliance Ireland and took place in the Dept of agriculture offices in April 1997 - LAI provided the agenda for that meeting.

The following is an outline of the Landscape Alliance Ireland view of the context and content of the proposed National Landscape Strategy in Ireland.

CONTEXT

Whilst limited landscape management instruments have been in place in Ireland since the 1960s their effectiveness has been disappointing, largely due to a lack of political commitment.

There was little direct provision in the 1963 Planning and Development Act with regard to landscape, but it would have been possible with a degree of responsible political will and administrative ability to have achieved considerable success within that framework.

The work of An Foras Forbartha in particular pointed the way forward and its abolition in 1989 was symptomatic of the total absence of political commitment on environmental issues at the time.

The work of An Foras Forbartha in relation to landscape had been evolving and we believe that they would have enthusiastically embraced the wider vision of landscape upon which the European Landscape Convention is based, as it emerged in the early 1990s.

Unfortunately as a result of the abolition of An Foras Forbartha Ireland became locked in a time warp, where the only document on landscape available was the Foras Forbartha 1977 Inventory of Outstanding Landscapes of Ireland and this had the fundamental weakness of an excessive concentration on the so-called sublime landscapes, leaving the rest of the Irish landscape at the mercy of a very uninformed development and planning process.

The chronic weaknesses in the system were exposed by the rapid growth in the economy that took place in the 1990s and the context for the proposed national landscape strategy lies largely in the shattered landscapes that now exist throughout the island.

The Planning and Development Act 2001 made some attempts to redress the weaknesses in the 1963 Planning Act, but again failed to fully recognise the importance of landscape. The concept of landscape conservation areas is a remnant of the redundant blinkered 'national park' view of landscape of the '60's.

At its simplest there has been a national attitude, fostered by unthinking politicians and officials, that where there appeared to be a conflict between landscape quality and development; landscape should always be the loser.

The sad reality is that there was a fundamental failure to appreciate the difference between inevitable landscape change in a growing economy and managing the landscape change that accompanies such growth in such a responsible and sensitive manner as to retain or restore landscape quality during the process of change.

On the positive side; Ireland because of its extraordinary extensive landscape resource still has an incomparable resource consisting of substantial areas of high quality, unspoiled landscape.

The challenge for the National Landscape Strategy will be to achieve a situation where we sustain the high quality of such landscapes and equally importantly return to the damaged landscapes with appropriate remedial measures to undo the damage of the recent past where possible.

It should be noted that these damaged landscapes are of great national importance because they largely are the landscapes where the majority of the population of the island live, work and play.

CONTENT OF STRATEGY

Landscape Alliance Ireland as an organisation first called for a National Landscape Policy in 1995, following earlier calls that Terry O'Regan had made on a personal basis beginning in 1992.

The content of the National Landscape Strategy should reflect a fully developed National Landscape Policy.

We believe that national landscape policy should comprehensively embrace the aims and objectives with regard to the national landscape together with a strategy for the implementation of that policy and appropriate implementation instruments and measures.

It will have to be a step by step process.

We respectfully suggest that the work in setting out the framework of a National Landscape Strategy/Policy for **the total landscape of the nation** has already been provided by the European Landscape Convention with specific reference to Articles 5 and 6.

Under Article 5 – General Measures, each party undertakes to

- (a) Recognise landscapes in law,
- (b) Establish and implement landscape policies,
- (c) Establish procedures for public participation,
- (d) Integrate landscape into regional and town planning policies.

Article 6 – Specific Measures provides for

- (A) Awareness raising,
- (B) Training and education,
- (C) Identification and assessment,
- (D) Landscape quality objectives
- (E) Implementation.

There are other articles that provide a co-operative framework for this important work.

Ireland signed and ratified the European Landscape Convention (March 2002), we are therefore bound to implement same.

In view of the importance of the landscape resource in Ireland we have a strong incentive to not alone comply with the European Landscape Convention, but to move to a position of leading in the implementation of the European Landscape Convention.

We would note in this regard that Landscape Alliance Ireland is perceived to be one of the leading national NGOs in Europe with regard to the implementation of the European Landscape Convention. Our standing is such that we have given many of our fellow Europeans the impression that the situation with regard to implementing the convention in Ireland is far better than the reality evident on the ground.

In order to ensure that the National Landscape Strategy is effective we respectfully suggest that we need to carry out a SWOT analysis of the existing Irish framework with regard to legislation, administration, education, information and community/societal participation.

It must be a fully integrated policy from the beginning and must involve all levels in society and the national administration, otherwise there is a great danger that it will evolve into a top down, fundamentally uninformed strategy.

With regard to legislation, at the very least we believe that all existing and future legislation that impinges in any way on landscape needs to be landscaped proofed.

But there is also a need for specific legislation for the landscape of the nation.

The desirability or otherwise of a Landscape Act, as recommended by Michael Starrett of the Heritage Council, needs to be considered. In this case it should be noted that a very holistic interpretation of landscape is required. Landscape Alliance Ireland is founded of a belief that heritage, environment and landscape are almost interchangeable and are certainly interwoven.

Those who might question the valid case for a landscape act should be reminded that we have already have acts in place for relatively small segments of the landscape, for example the National Monuments (Amendment) Act 2004 and the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999. A Landscape Act would have a highly valuable role in integrating and co-ordinating many existing acts, such as the Wildlife Act as well as those listed above.

It should also be noted that regulations and codes of practice should follow from such an act, similar to the building standards and the code of practice developed in relation to archaeology and road projects.

We should look at how landscape is legislated for in other states – the Council of Europe has extensive base-line data available re same.

We would further note with regard to legislation that we should consider the incorporation of landscape into Article 10 of the constitution which deals with the resources of the state. This particular article is in urgent need of a total review. We appreciate that this is a long term measure, but that should not prevent us from recommending such an approach, as our landscape is one of our great resources equal to or closely behind our greatest resource, namely our people.

At a very early stage in discussing this national landscape strategy there is a need to consider the administrative / resource framework required.

Landscape Alliance Ireland has for some time now been recommending that there be a dedicated unit within the Department of Environment, Heritage and Local Government, with a specific brief to implement the European Landscape Convention.

Whilst undoubtedly many other bodies and organisations can move the European Landscape Convention forward, it is vital that there is an informed consistent unit within the department, bearing in mind that the European Landscape Convention is a Council of Europe measure and to date our official participation in the advancement of the convention has been virtually non-existent.

CONCLUSION

In conclusion we would like to stress that a National Landscape Strategy is not about freezing landscape, it is not even about preserving landscape, it is about managing the landscape resource of the nation responsibly and creatively.

As set out in the European Landscape Convention that involves a strategic management mix of protection, day to day management and planning / design.

Landscape Alliance Ireland obviously would have wished that a Landscape Policy would have been formulated when it first called for same back in 1995.

Much has been lost in the intervening 13 years.

However it is never too late to take a major step forward in good governance and the work now being undertaken on framing a National Landscape Strategy has the great advantage of being able to draw on the enormous resource that now exists in many parts of Europe, including the Council of Europe's European Landscape Convention, but equally important the initiatives that have been undertaken by member states of the Council of Europe, one of the earliest of which was the Swiss government.

At the 7th Workshops recently in Piestany, Slovak Republic the speaker from the Catalonia Region in Spain was impressive in describing the advanced level of ELC implementation that they have achieved. We would do well to engage in co-operation with them.

The UK, our nearest neighbour took much longer to decide to sign and ratify the European Landscape Convention and only did so in 2006, but being one of the earliest European states to address landscape issues, it already had many initiatives in place and since then both the Welsh and Scottish assembly governments have commenced active processes of implementing the European Landscape Convention.

There has to be benefits involved in close collaboration with others in the important undertaking of implementing the European Landscape Convention which is effectively what a National Landscape Strategy will have to be.

The formulation of a National Landscape Strategy for Ireland is an exercise of vital national interest. If it is to be a successful measure the process must involve wide-ranging consultation and participation. Landscape Alliance Ireland urges all interested Irish citizens to engage with the process. The consultation period has yet to be announced, but submissions can be made at any time to the Doehlg. Submissions should be copied to local TD's to encourage their participation in the process.

Terry O'Regan,
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