

Environment Bill 2nd Reading in the House of Commons

Briefing on the Exclusion of the Historic Environment

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Alliance

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Key points:

- One of the 10 specific goals set out in the 25 Year Environment Plan is “enhancing beauty, heritage and engagement with the natural environment.” This was warmly welcomed by the heritage sector, and has been carried through into the Agriculture Bill.
- In contrast, the drafting of the Environment Bill, which provides a statutory basis for the 25 Year Environment Plan and future Environment Improvement Plans, excludes the historic environment from its definition of “natural environment”.
- This means that future Environmental Improvement Plans will only be required to cover natural heritage, not the historic environment. It also means that heritage is likely to be omitted from the data gathering and reporting undertaken on the current Plan. The historic environment is therefore likely to be deprioritised in decision-taking and funding, as it was in the past because the historic environment was excluded from EU Directives. This approach also creates an artificial distinction between the historic and natural elements of environment. The historic and natural environments should be considered as one whole, because this in practice is how they occur in both land management and spatial planning.
- The heritage sector would like to see the definition of “natural environment”, and the scope of future Environmental Improvement Plans, widened to include the historic environment.

Background

The Government’s 25-Year Environment Plan aims to leave the environment in a better state and deliver world-class environmental governance. This fantastic ambition was greatly bolstered by the wide understanding of environment that the Plan reflected. The Plan

recognised the nature of landscape as multifaceted, formed not only of natural features and processes, but the historic and cultural factors which have shaped them over time.

The Heritage Alliance [has previously noted](#) that, as with the natural environment, the scale of the historic environment challenge is huge: we have already lost half of our traditional farm buildings to agricultural change and redundancy, and hundreds of thousands more are in decay. Almost half of scheduled monuments are under threat, as are the manmade landscapes and features such as stone walls, parkland, and historic field systems. These, along with other historic structures and archaeological sites, are our shared history. They help us understand who we are and how we got here. They contribute to the richness of our landscapes and countryside, and are a vital part of the character and distinctiveness of rural places. As recognised by the 25 Year Plan, once lost, or beyond the point of restoration, these features cannot be regained or regrown. We are therefore disappointed that the Environment Bill, which is set to create the legislative framework for putting the 25 Year Plan into action, risks undermining this inclusive approach through the narrow definition of “natural environment” in Clause 39.

The definition specifically excludes “buildings and structures”, which would mean most forms of physical heritage are outside the scope of “environment” in this Bill.

It is this definition that will guide Secretaries of State in future when creating Environmental Improvement Plans (future versions of the 25 Year Environment Plan), as well as when gathering data and reporting against progress made. As a result, future versions of the Plan will not be required to consider the historic elements of our environment, which risks creating an artificial separation in how natural and historic features are treated.

There are few landscapes in the UK that can be considered to be entirely “natural”. Human activity has been leaving its impact on our physical environment for as long as we have existed, and after thousands of years of our presence, the world around us is as much a human creation as a product of natural processes. Our heritage is embedded alongside nature in our landscapes, sharing the same physical spaces and facing similar challenges. What impacts one aspect may well also impact the other. Historic structures and buildings often support wildlife and biodiversity, also in marine environment, as well as being a key part of the character and distinctiveness of rural places. Looking only at the “natural” elements of the environment does not tell the full story; while working to protect and conserve nature and heritage in harmony can deliver improvements to both, failure to consider the historic environment when seeking to enhance nature on its own can do harm.

Supporting and enhancing landscape, and considering historic and cultural features alongside the natural is not new to environmental policy or legislation in the UK. For example, the statutory role of National Parks in England and Wales is “to conserve and enhance natural beauty, wildlife and cultural heritage”. Natural England has a statutory purpose to conserve and enhance the landscape as a whole, and agri-environment support under the Common Agricultural Policy (CAP) has - to the relatively small extent that it has been available - played an effective role in protecting and supporting heritage. 84% of scheduled ancient monuments are found on farmland, and a combination of funding

measures including basic cross-compliance requirements, grant aid for capital works (including restoration of historic farm buildings), and agri-environment schemes such as Environmental Stewardship, have helped protect heritage on farmland. 24,000 historic sites in England have been protected through Environmental Stewardship alone since the start of the scheme. But, because of the exclusion of heritage from EU Directives, the scale has always been inadequate: heritage funding currently is only ¼ of 1 per cent of total CAP funding, and just ¾ of 1 per cent even of the funding specifically for ‘environmental public goods’.

The Agriculture Bill introduced in the previous session, which we hope will be brought back to the House as soon as possible, recognised that the natural and historic need to be protected alongside each other, and provided for future environmental land management schemes to continue to support and fund cultural heritage. The narrow definition of “natural environment” in the Environment Bill stands out as an exception to these much broader approaches taken elsewhere in UK law and policy.

While it would be possible for Secretaries of State to decide to include heritage in future Environmental Improvement Plans as additional content, as was done for the first 25 Year Plan, there is no requirement for this. Instead, the duty to prepare Environmental Improvement Plans refers to plans for “significantly improving the natural environment”, where the understanding of natural environment specifically excludes the buildings and structures that form part of the landscape, as well as man-made features such as historic field systems. This presents a strong disincentive to the inclusion of policy addressing such features.

Conclusion

We would like to see the historic environment brought within the scope of the ‘environment’ in this Bill and explicitly part of future Environmental Improvement Plans. This would bring the statutory definition of “environment” in line with existing Government policy and ensure that future environmental planning and monitoring seeks to enhance and protect these crucial features of our landscape hand in hand with the natural features from which they are indivisible. We are not seeking to have heritage included in the Bill’s enforcement provisions. What matters is the definition of the environment, and that the Bill’s requirements to measure and report progress extend to all of the 25 Year Plan’s goals.

You can read our full briefing on the potential of the Environment Bill from January of this year [here](#).

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[The Heritage Alliance](#) is England's coalition of independent heritage interests. We unite more than 140 organisations which together have over seven million members, volunteers, trustees and staff. We sit, alongside DEFRA, on the [Government's Heritage Council](#). Members of our Rural Heritage Advocacy Group include, amongst others: The National Trust, Historic Houses, Country Land & Business Association, English Heritage, Chartered Institute for Archaeologists, Council for British Archaeology, Inland Waterways, Ancient Monument Society, Canal and River Trust, The Gardens Trust, The Historic Religious Buildings Alliance, RESCUE, Campaign to Protect Rural England, Wessex Archaeology, Association of Local Government Archaeological Officers and various academic institutions. Most of England's historic environment (including more than half of rural England) is owned, managed or cared for by Heritage Alliance members. The Alliance is represented on DEFRA's Rural Development Programme Monitoring Committee and DEFRA's Agriculture Bill Tests and Trials Stakeholder Groups.

Our members are non-government, voluntary and private organisations that promote, conserve, study and involve the public in [our heritage](#).

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