

## The Environment Bill and Heritage

### The Issue

- Although the heritage sector generally welcomes the Environment Bill, we are very disappointed that it **explicitly excludes heritage and the historic environment**.
- This means that monitoring and reporting under the Bill and future Environmental Improvement Plans would not be required to cover the historic features and structures in our landscapes, which are inseparable from the natural world.
- The Government's 25-Year Environment Plan (25-YEP) recognised the importance of historic and cultural factors in shaping our environment and dedicated Goal Six of its ten goals to "enhancing beauty, heritage and public engagement..." The ambitious move of treating the natural and historic environment on equal footing for the first time was warmly welcomed. The Environment Bill as it stands disappointingly only covers nine of the ten goals of the 25-YEP, ignoring Goal Six and only mentioning heritage once - to exclude it.
- The Environment Bill, if not amended, threatens our endangered rural heritage by its exclusion of heritage and the artificial distinction it creates between the natural and historic aspects of our environment. Rectifying this exclusion would allow the heritage sector to fully support this bill.

### Why It Matters

- **The rural historic environment is integral to our natural environment - excluding one is detrimental to both.**
  - Environmental changes, such as flooding, fire or coastal erosion, changes in land management or climate-related weather changes, all have the potential to cause damage to historic sites and features – much in the same way as they would impact plant and animal life. We have lost half of our traditional farm buildings; hundreds of thousands more are in decay; and almost half of scheduled monuments are under threat, as are stone walls, parkland, and historic field systems.
  - Just as historic features may depend on the natural environment, the reverse is also often true: many structures serve as habitats for flora and fauna, including rare and threatened species. For example, lesser horseshoe bats are entirely dependent on buildings for breeding, and a number of other bat species use the roof spaces of historic buildings for roosts.
  - The exclusion of the historic environment within the Bill could also have detrimental knock on effects to other safeguards. For instance if the Bill's restrictive definitions are used to set the scope of the forthcoming review of Environmental Impact Assessment, it would result in the loss of protection for cultural heritage elements. Confirmation that the Government does not intend to prejudice more holistic understandings of the environment in wider policy, such as on EIA, would be welcome.
  - Working to protect and conserve nature and heritage in harmony delivers improvements to both, and failure to consider the historic environment when seeking to enhance nature on its own can do harm.

- **The exclusion of historic assets will impact on long-term funding for the historic environment.**
  - While it is true that under the Agriculture Bill governments will have the ability to fund the 25-YEP’s Goal Six, it provides no certainty that this will actually happen.
  - Like other environmental public goods, our heritage needs to be maintained if it is to bring the most benefit to the nation - through enjoyment and access, and its links to the natural world, but also through opportunities for tourism and the rural visitor economy that historic features bring, making places distinctive and inspiring connections to the past.

## Suggested Amendments to the Environment Bill

We suggest the following amendments as a package of options that would ensure heritage is taken into account and monitored appropriately alongside the other Goals of the 25 Year Environment Plan and included in future Environment Improvement Plans (EIPs). If the Bill is not amended, we do not think this would happen.

### **Definition of “natural environment”**

Clause 43, page 26, line 42, after “structures” insert “but including sites of archaeological, architectural, artistic, cultural or historic interest insofar as they form part of the landscape”

#### ***Member’s Explanatory Statement:***

*This amendment seeks to widen the definition of “natural environment” in this Part to include the historic environment. For the avoidance of doubt, we do not seek the inclusion of the historic environment in the definition of “environmental law”, or in the enforcement functions of the OEP.*

#### **Reasoning**

Without this amendment, the historic environment would be excluded from the provision of the whole of Part 1 of this Bill – including Environmental Improvement Plans, monitoring and reporting.

### **Environmental Improvement Plans**

Clause 7, page 5, line 17, at end insert: –

“(5A) It may also set out the steps Her Majesty’s Government intends to take to improve the conservation of land environments of archaeological, architectural, artistic, cultural or historic interest, including improving people’s enjoyment of them (and if it does so references in this Part to improving the natural environment, in relation to that plan, include conservation of land environments of archaeological, architectural, artistic, cultural or historic interest, including improving people’s enjoyment of them).”

#### ***Member’s Explanatory Statement:***

*This amendment invites the government to consider the historic environment in environmental improvement plans.*

#### **Reasoning**

Without this amendment, future EIPs may well ignore heritage.

**Secretary of State’s Annual Reports (Clause 8), Environmental Monitoring (Clause 15) and Office for Environmental Protection (OEP) monitoring (clause 27)**

At end of: clause 8, page 5, line 41, clause 15, page 9, line 40 and clause 27, page 15, line 33 add:

“(d) any other targets, goals or objectives specified in the environmental improvement plan, including those relating to beauty, heritage, and people’s enjoyment of the natural environment.”

***Member’s Explanatory Statement:***

*This brings the Bill in line with the Sixth Goal of the 25-Year Environment Plan, ensuring that these Annual Reports report on that Goal.*

**Reasoning**

This Bill, with its defined (and often legally-binding) targets, and formal monitoring and reporting processes, is likely to determine the allocation of funding for environmental public goods over the next 25 years and beyond.

Heritage is a key environmental public good, but it is specifically excluded from the Environment Bill, which means that heritage is likely to be deprioritised or ignored in target-setting, monitoring and reporting, and in future Environmental Improvement Plans.

The best solution would be to include heritage in the Bill’s core definition of environment, but the Government has resisted that throughout. As a fallback, an identical amendment should be made to relevant Bill clauses, as above, to ensure that heritage is taken into account and monitored in accordance with the 25-Year Environment Plan’s Sixth Goal. If heritage is not monitored and reported, it will not be funded and will not be maintained - as happened over past decades, when it was excluded from EU Directives and UK law based on those Directives.

**Note**

For the avoidance of doubt, we are not suggesting that heritage should be included in the definitions of “environmental protection”, or “environmental law”, or in the enforcement remit of the OEP.

**For further information, please contact The Heritage Alliance.**

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