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**COUNCIL OF EUROPE  
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***NINETEENTH COUNCIL OF EUROPE MEETING  
OF THE WORKSHOPS FOR THE IMPLEMENTATION  
OF THE EUROPEAN LANDSCAPE CONVENTION***

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***“The implementation of the European Landscape Convention at local level: local democracy”***

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***WORKSHOP 4***

**The Heritage Master Plan as a participative planning instrument for heritage and landscape in Flanders**

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The theme of this Meeting of the Workshops for the implementation of the European Landscape Convention - “Local democracy” - closely reflects the intention of the Government of Flanders to focus more explicitly on participation with local authorities, owners, citizens and associations. The Flanders Immovable Heritage policy field formally takes the lead in Flanders in implementing the provisions of the European Landscape Convention into policy and makes more and more efforts to develop participative procedures. The Heritage Master Plan (hereinafter: HMP) provides a very suitable policy instrument for this. At earlier Council of Europe Conferences on the implementation of the European Landscape Convention, the opportunities offered by the instrument for an innovative participation policy for heritage and landscape were mentioned several times in the context of the reporting about the policy initiatives of the Flemish

Region. This workshop “*Participation and commitment at local level*” provides an excellent opportunity to present the first results.

### **The heritage master plan: an innovative instrument**

The Heritage Decree of 12 July 2013, which entered into force on 1 January 2015, introduced the HMP as a new instrument for a strategic and, at the same time, deployment-driven heritage and landscape policy.

The HMP defines a vision on a certain theme or for a certain area and provides, via the action programme linked to the plan, for the deployment of the vision. Essential matters in the realisation of the HMPs include the broad collaboration with other sectors and authorities, the participation of the local population and local players, the focus on deployment and the possible use of instruments that are not generic to the sector.

The HMP has been developed to create a situation in which 1) a broad interdisciplinary and cross-sectoral approach is paramount, 2) the landscape is not assigned a purely cultural-historic interpretation and 3) the landscape as an integral concept remains intact.

As new plan instrument, the HMP opens the door to a more cross-cutting landscape policy. The instrument allows an integrated approach to the landscape, according to the significance assigned to it by the European Landscape Convention. The development vision, measures and actions are framed in consultation with other sectors and authorities. The integrated approach prevents various players following contradictory aims and colliding with each other during implementation. The possibility of drawing up a cross-sector action programme satisfies the integration with other policy sectors requested in the European Landscape Convention.

### **Legal Framework**

The legal framework around the HMP and action programme is described in the Heritage Decree, but no procedure has (as yet) been described for the drafting and approval of the plan and programme. There is currently no legal obligation to obtain opinions or organise a public enquiry. The preparatory documents of the decree do, however, clearly state that the HMP shall arise via participation. But the way in which the necessary consultation and participation is organised has intentionally not been prescribed.

The legislation offers sufficient room for experimentation, which is an advantage in the current pilot stage. This means that, during the first few years, we can undertake the necessary pioneering work. Two HMPs are current being drafted. The evaluation of the process and the results of these pilot projects will show whether it is necessary or desirable to include further

rules or at least some legal-administrative consultation obligations in the legislation. In the meantime, a methodological framework offers some help when determining the process approach and organising collaboration and participation in practice.

### **Methodology for the drafting of an heritage master plan**

In October 2016, the minister validated the first version of a methodological framework for drafting an HMP. The intention is to refine this methodology further in the future, based on the experience with the current pilot projects and insight gained. The methodology is available to all stakeholders, so that everybody closely or more distantly involved in drafting an HMP knows from the very start how it is conceived. Transparency offers, after all, the guarantee for a high-quality process approach.

#### *General approach versus customisation*

The methodology sketches the process and discusses the general principles for laying out a participation pathway. The starting-point is that stakeholders are involved in an early stage with the preparation and elaboration of the vision. The various stages and steps are described based on a theoretical logic, which cannot always be followed in practice. It is obvious that the wide variety of themes and areas for which an HMP can be drawn up require a customised approach. Yet the general approach must take place in the same way for all HMPs and it is appropriate to create as much clarity as possible for all participants in the process. The methodology is a handy guide, but is certainly not a straitjacket.

#### *Organising participation*

A characteristic of an HMP is that various stakeholders participate in its realisation. Organising a participative pathway demands customisation and cannot be standardised. Participation takes on many guises, depending on the context and the target group. It is useful to plan the participation pathway in advance in a participation plan and to register the course of the participation pathway as you go along in a communications logbook. Such a logbook is already used in Flanders in other participation plan processes (regional spatial implementation plans for the demarcation of the natural and agrarian structure, complex investment projects, etc.) under the name ‘process memo’ and indicates when, how and to what degree the participation has influenced decision-making. The participation plan clarifies the rules for the stakeholders, which is important for managing expectations, and offers them insight into decision-making. It describes the pathway that will be taken, names the players, the moments and the way in which they will be involved and indicates how the information is made available for drafting an HMP. In the course of the process, the participation plan evolves into a logbook in which the process already undertaken is described. That logbook is a public document which makes the decision-making transparent.

### *Main lines of the process pathway*

The drafting of an HMP takes place via an agenda stage, a scouting stage, a planning stage, a study stage, a plan development stage and an approval stage. The process ends with a concluding evaluation stage. The output of each stage is formalised, in the sense that an agreement exists over these products. When an approved action programme is linked to an approved HMP, the implementation and monitoring can begin after the approval. The drafting of the action programme cannot run completely parallel with the drafting of the vision, but ideally should reflect it closely. It is, however, also possible to make this action programme only after the approval of the HMP.

- The process starts with placing the project on the internal agenda and results in a politically approved decision in principle.
- The scouting stage is intended to refine the objectives for the plan and to plan the further progress of the process. During this stage, the project's chances of success are estimated by making an inventory and analysis of the players and factors that influence these chances of success. This stage results in a declaration of intent signed by the project partners. The declaration of intent describes the "what and how" of the project and gives a general expression to the commitment that the partners will make in the further process.
- During the planning stage, the plan of approach is made even more specific and the communications and participation strategy is mapped out. This stage results in a project memo, a communications plan, and a participation plan. If binding agreements must be made between the project partners, they can draw up and conclude a partnership agreement together.
- The study stage is intended to plug any knowledge gaps based on the formulation of the problem. It results in a study report and a supplemented communications logbook.
- A broadly supported proposal for an HMP arises during the plan development stage. Various versions of the plan are drawn up during this iterative stage.
- The approval stage results in an HMP approved by the Government of Flanders and, preferably, in an action programme approved by the project partners, which lays down the timing, financial implications and responsibilities for the implementation of measures.
- Finally, the evaluation of the course of the project results in a final report and a learning points report.

### **Pilot projects**

Currently, we are gauging the possibilities of the HMP using 2 pilot projects. In both cases, the intention is to develop a vision with all stakeholders and to translate this into actual actions and measures. One of the projects is thematic and focuses on the preservation and management of standard-tree orchards as characteristic landscape element for the Haspengouw region. The

second project is area-focused and studies on a very local scale in which way the preservation and management of underground and above ground marl heritage can be reconciled with each other.

We play the participation card at the very start of these two projects. The signing of the declaration of intent by the project partners could count on the necessary press attention and expresses the willing efforts of the partners. In 2017, all studies were completed, so that we could, based on these, submit a well-founded and widely supported vision to the responsible political leaders in 2018.

### *Traditional orchards in Haspengouw: a thematic HMP*

In the late 19th century, the upswing of commercial fruit production in Haspengouw, a rural region (868 sq km) in the South-East of Flanders, sculpted a unique cultural landscape dominated by traditional extensive high-stem orchards which combined cattle breeding and fruit production. Since the 1950s, the agricultural intensification led to a conversion to more productive low-stem orchards. The decline of the original area of traditional orchards to about 10% in a few decades had a severe impact on landscape quality and brought the high-stem orchards under the public attention. Over time, the perception of the function of high-stem orchards shifted from pure agriculture production benefits towards a multifunctional landscape element that supplies a broad range of ecosystem and cultural services which is important for regional identity and tourism. This transition generated a policy gap for the preservation of high-stem orchards: while these orchards are at the intersection of several policies, there is a lack of specific measures addressing their preservation. Furthermore, there is an uneven distribution between benefits and burdens of preserving the high-stem orchards and they remain under pressure due to urbanisation and agricultural intensification. The tension between economic devaluation and societal appreciation of high-stem orchards in Haspengouw as well as the multiple interests of different stakeholders calls for an integrated approach, adapted to the specific regional singularity and the needs of these landscape elements.

The aim for this project is to create a tailored policy framework and societal encapsulation for the region-specific preservation and management of traditional orchards in the contemporary landscape.

### *Historical marl quarries in the town of Riemst: a geographic HMP*

The marl quarries in Riemst arose primarily in the middle ages when building stones were quarried there on a large scale. Numerous historic buildings are constructed in largely local marl: churches, rectories, public buildings, large square courtyard farms, but also more modest village dwellings. The centuries-long exploitation created an underground system of passages with an

area of dozens of hectares. This patrimony is unique in Flanders, as testified by the various listings as monument, conservation areas or cultural-historic landscape by the Flanders Heritage policy field. But the management of this vulnerable heritage is enormously challenging for the municipality. The quarries are unstable in certain places and do not only pose a risk for general safety but also attach a mortgage to the future of the above-ground building and of the heritage in particular. The instability can be solved technically by filling in the quarries, but that is not feasible everywhere because of the high costs. In addition, landfills are, of course, detrimental to the underground heritage.

The aim of the project is to make an affordable, well-supported and achievable vision for the stability problem of the marl quarries, with maximum retention of the heritage present both above and below the ground and with maximum regard for public safety. Residents, managers, users, experts and other players are actively involved in anchoring the local knowledge, perception and experiences into the process.

## **Conclusion**

The HMP is conceived based on the principles of the European Landscape Convention and the Faro Convention on the Value of Cultural Heritage for Society. Although the legislation does not include any mandatory participation, the current pilot projects prove that the stakeholders are closely involved and that the public can also actively participate. The heritage communities thus play an essential role in the appreciation, management and unlocking of heritage and in the realisation of the HMP.

In its design, the HMP also addresses the objectives of the European Cultural Heritage Strategy for the 21<sup>st</sup> century. With Strategy 21, the Committee of Ministers of the Council of Europe wish to reinforce the fundamental role that heritage plays in society and, on the other hand, allow heritage and its care to be the subject of participative processes, whereby as many players as possible are involved and the heritage communities can play an important, proactive role.

Society rightly has high expectations for this new and promising policy instrument. Although the initiated pilot projects are not yet completed and the number of results are, at the moment, relatively restricted, it is remarkable that authorities, associations and local communities and citizens can be readily made enthusiastic and that the collaboration generates a dynamism on the ground. The signing of the declaration of intent is a key moment in the process, but our experiences teach that a considerable preparation time is necessary to run through all the administrative steps and to convince all parties of the fact that a declaration of intent is necessary to give the partnership a more formal and less non-committal character. Despite their readiness and enthusiasm to collaborate on the HMP, some partners are still somewhat reticent in this area since the drafting of the HMP is not their responsibility.

The finality of the HMP is, however, in the approval of the action programme, in which each partner can provide actions and measures to the best of his ability. The implementation of those measures cannot be legally enforced, but we expect that the participation process will induce the partners to accept the responsibility for implementing the development vision together, in mutual trust and confidence.

The future will prove whether the instrument succeeds in the aim to establish a true “landscape democracy”, as intended by the European Landscape Convention.