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Drawing landscape policies for the future

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PRESENTATION

FRANCE

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Recognition of landscapes in law

France signed the European Landscape Convention in 2000, and ratified it in 2006, but it is worth taking a look back at how landscape was viewed prior to the adoption of this instrument. The legislation from 1906 and 1930 on the protection of natural sites and monuments:

www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGITEXT000006074251

Landscapes have been legally recognised in France since 1906, through the protection of natural sites and monuments. With the passing of a law in 1930, the policy took on its final shape and form. Still in force today, it is now part of the French Environment Code. The legislation in question concerns natural sites and monuments “whose conservation or preservation is of general interest from an artistic, historical, scientific, folkloric or picturesque point of view”.

As in the case of historic monuments, the legislation on the protection of sites provides for two levels of protection: listing and classification. Responsibility for implementing it lies with the state and falls within the remit of the ministry in charge of ecology. At first the legislation focused on significant but one-off features such as rocks, waterfalls, fountains or individual trees, followed by patches of greenery or viewpoints, castles and accompanying gardens. Gradually, it was extended to include much bigger areas: massifs, forests, gorges, valleys, marshes, headlands, islands, etc. covering several thousand if not tens of thousands of hectares.

Although the scope of listed and classified sites has tended to widen, the 2 700 or so classified sites (i.e. the most strictly protected) and 4 500 or so listed sites now account for 1.6% and 2.5% respectively of the country's territory. It is important, therefore, not to confine the discussions and measures to these areas alone, which incidentally are almost always part of wider landscape complexes, also needing to be understood and considered.

For example, France's "Grands Sites" (major sites), which include classified sites across large swathes of their territory, are the focus of volunteering efforts and a local consensus for adopting a management and development approach that extends beyond the bounds of the protected area. This policy was introduced back in 1976 to address the problems arising from large numbers of visitors to the most iconic sites. The idea is to restore the attributes that drew people in the first place and to develop preservation and management plans so that visitors can be accommodated in a way that respects the characteristic features of the site, the spirit of the place and the needs of the local community.

The creation of national parks, regional nature parks and the *Conservatoire du littoral*

Other policies have also played an indirect part in the protection and enhancement of certain landscapes. In 1975 for example, the French state, decided to set up the *Conservatoire du littoral*, a public institution tasked with acquiring stretches of coastline which have been damaged or threatened by urbanisation so that they can be restored and adapted to receive visitors in a way that respects nature.

On an even larger scale, other areas protected under the Environment Code, such as the national parks or regional nature parks, are engaged in activities to do with landscape. Added together, however, all these different types of areas account for just one fifth of the national territory.

The "Landscape" Act of 1993

www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000541949&categorieLien=id

The law of 8 January 1993 on the protection and enhancement of landscapes was the first piece of legislation to deal exclusively with landscapes, in all their many forms, throughout the country. It also establishes the principle that responsibility is to be shared between public authorities: "*France's landscapes shall constitute common heritage [...]. The state, the municipalities and all territorial authorities shall participate in the protection and enhancement of landscapes*".

This point is an important one and has its roots in the process of devolution that has been under way in France since 1982: since that date, responsibility for the design and delivery of certain public policies with an impact on landscapes (town planning, spatial development and roads, etc.) has been transferred from central government to local and regional authorities.

However, even in the case of sites where central government has retained its core mission and oversight function, consulting with stakeholders and the public at large is vital these days because of the changes in society. Considering landscape complexes, rather than individual features, also requires us to consider an ever increasing number and variety of players and human activities.

Reclaiming biodiversity, nature and landscape act of 2016

www.legifrance.gouv.fr/eli/loi/2016/8/8/2016-1087/jo/texte

While the 1993 act was therefore a major step forward, French legislation did not incorporate the definition of landscape laid down in the Florence Convention until the Reclaiming Biodiversity, Nature and Landscape Act was passed in 2016 (the 1993 legislation covered landscapes but without defining them). The 2016 Act:

- provided a legal basis for “landscape atlases” as benchmark landscape knowledge documents;
- provided a common definition to be used in the environment and town planning codes for landscape quality objectives as project tools;
- introduced a specific title of landscape designer, confirming the recognition of the profession and its added value.

Conclusion

In France, landscape is therefore mentioned in the environment and town planning codes, which provides a good illustration of its crosscutting nature. This recognition in law is the outcome of a lengthy process and its significance varies depending on the circumstances:

- 1) The legal norms may come beforehand and introduce new rights or impose new obligations. This is a key feature of legislation which has prevented irreversible destruction taking place. For instance, at the beginning of the 1960s, the mayor of Lyon was planning to demolish part of the city’s mediaeval and Renaissance neighbourhood (“Vieux Lyon”), which was deemed unfit for human habitation, and build an expressway there. Public protests and the passage in 1962 of legislation establishing “protected neighbourhoods” prevented the demolition taking place. Since 1998 the neighbourhood has been listed as a UNESCO World Heritage Site.
- 2) However, the various norms may also provide legal recognition after the event for practices that are already well established. This is true, for instance, of the above-mentioned landscape atlases, which have been in use in France since 1992 but did not achieve full legal recognition until the 2016 Act. It should therefore be noted that the lack of legislation does not necessarily prevent action being taken. On the contrary, it is sometimes the voluntary, consensus-based non-regulatory nature of some measures that provides their strength, as is the case of landscape plans in France.

Promotion of landscape identification and assessment

Landscape atlases

In France, the objective of landscape identification and assessment is reflected in the production of landscape atlases based on methodology developed in 1994, and subsequently updated in 2015, on the basis of 20 years’ feedback.

Link to the method:

[www.ecologique-](http://www.ecologique-solidaire.gouv.fr/sites/default/files/Landscape%20Atlases%2C%20Landscape%20identification%2C%20characterisation%20and%20assessment%20method.pdf)

solidaire.gouv.fr/sites/default/files/Landscape%20Atlases%2C%20Landscape%20identification%2C%20characterisation%20and%20assessment%20method.pdf

Here are two brief findings from the French experience as a basis for discussion:

- 1) The attention paid to knowledge of the landscapes in a given area changes perceptions of that area. Working to define “landscape units” sometimes makes it possible to transcend administrative boundaries and give precedence to the factors which unite specific regions in terms of geology and land use or of the way people see them and the value they attach to them. There has been major administrative reform at local and regional level in France in recent years, in particular with the merging of regions on 1 January 2016. The latter development led some local players to consider holding workshops along the former administrative boundaries with a view to identifying examples of continuity of landscapes based on atlases drawn up on either side of them.
- 2) The atlases often provide valuable information for classifying the landscape structure of given regions, describing the main features and underlying aspects, but still do not place enough emphasis on the various processes and pressures relating to the relevant landscapes. A metaphorical illustration of this point would be to say that the atlases have had the merit of getting knowledge of landscapes away from a “postcard” view and also focusing attention on less widely represented landscapes (which are accordingly often regarded as less iconic) by showing that they were also worthy of note and had particular histories and identities, but this all too often was based on a static approach.

Photographic landscape observatories

Alongside the landscape atlases, France has also therefore encouraged the establishment of “photographic landscape observatories”: the idea here is to choose viewpoints within a given area which will be photographed at various intervals. Once again, here are two brief findings from the French experience, as a basis for discussion:

- 1) This process makes it possible to see easily what changes and what stays the same in landscapes over time. Everyone can have their say regarding photos or series of photos showing how a place has developed, so this tool can be harnessed to help involve the public and achieve an interplay of views between experts and non-experts, elected representatives and citizens. Public involvement can take place at various stages: when the first photographs are taken, when the repeat photographs are taken or during analysis of the series of photos produced over time. The method is also useful for raising awareness among young people in order to move away from a static, conservative approach towards landscapes, by showing how they evolve over time.
- 2) However, viewing dynamic landscape processes on the basis of a series of photographs does not necessarily enable us to understand and analyse the factors driving the relevant changes. It is also possible that the more significant changes in a given area take place “off frame” and that the changes seen on the photographs are not representative on a broader scale. It is therefore important not to confine ourselves to describing the changes but to seek to understand the underlying factors and identify any levers available (*principe de réalité* – “principle of reality”) with a view to attempting to influence the factors through a “landscape project”.

Shaping the landscape actually means building a blueprint for society based on analysis of what already exists, in order to agree goals for the future and implement them. In 2013, the Ministry for Ecological and Solidarity-based Transition therefore launched a call for projects for “landscape plans” to support areas or regions seeking to undertake landscape activities. The aim of landscape plans is not to duplicate spatial development policies defined at national level. On the contrary, they are invitations to local decision-makers to agree development strategies that are relevant because they are integrated into the local context. Landscape plans are divided into three phases, namely initial analysis, the development of landscape quality objectives and the actual action plans, which are carried out on the basis of local consultation and dialogue. The winners of the calls for projects each receive technical support from central government departments and the Landscape Plan Club, which is made up of the winners of the previous calls for projects.

Landscape plans: operational project tools

A blueprint for society

Because of its geographical location, France is at the crossroads of complex cultural and climatic influences which provide the basis for landscape diversity of a kind unrivalled in Europe. This stems from the way in which human communities have joined forces and constantly sought to adapt to their environments in order to live there and develop. Landscape is therefore a portrait of our society. It reflects the changes in it and is not therefore a fixed image. That is why it must be addressed as a blueprint for society in which all individuals must feel they play a part under a balanced, solidarity-based approach. The message of the landscape plans is that this change can be the expression of people’s will, rather than the result of a process imposed on them, the aim being to live together more harmoniously in attractive regions with their identities preserved.

A dynamic approach to landscape

Landscape policy in France is based on a dynamic approach. Landscape is seen as an inheritance received from previous generations that is not a sacred object but a valuable asset to be capitalised on. This therefore involves striking a balance between conservation and innovation. However, population movements and the ever-widening divide between the vast majority of citizens and the countryside are bringing about a very substantial loss of landscape culture. Landscape analysis plays an educational role and helps explain to the public the fundamental aspects of given regions (climatology, topography, etc.) and their impact on ways of life with a view to identifying and explaining the processes which change landscapes. This is therefore a forward-looking approach which nevertheless takes account of the past, where identity is regarded as an asset.

Building a comprehensive approach to landscape

Building a comprehensive approach to landscape does not just involve describing landscape. The analyses underpinning landscape plans are based on the principle of 360-degree assessment of the relevant regions, with landscapes being tools that forge positive links which increase the regions’ attractiveness and vitality. This also involves recognising the differences in points of view expressed by individuals depending on their cultures, occupations or interests. In this connection, it is not possible to carry out landscape projects without individuals opening up or renewing the ways in which they see regions and going beyond their own limits. Support for projects from people from outside the

regions concerned and exchanges between residents at public meetings, or during discovery walks at the local level, provide a basis for broader mutual understanding and pinpointing areas of disagreement before gradually identifying points of convergence. Landscapes are therefore seen as unifying factors which generate positive interaction between the challenges and stakeholders in the regions concerned so as to foster local development, which is the fundamental precondition for accepting change.

Setting up a joint project

In order to set up a joint project, general interests must take precedence over individual interests in order not to favour the interests of one group compared to another. The degradation and standardisation of landscapes in France is most frequently the result of the weakness of the corresponding political project, which does not allow for regulation of economic and financial problems. A landscape plan constitutes a political tool which enables elected representatives to strengthen local political projects when dealing with economic actors (property developers, regional planners, etc.). The aim is not to prevent the latter from taking action but to impose a quality requirement, which should generate sustainable returns in terms of the landscape assets of each region, enhancing its attractiveness and as a result its economic vitality. A landscape plan is a tool that helps make decisions, for it enables local policy-makers to take account of all local data, so that the decisions taken express the general interest and make it possible to build a shared vision of the landscape and its future. A landscape plan sets out the main thrusts of the project and its landscape quality objectives. These must be widely disseminated so that everyone in the area concerned who wishes to intervene is aware of them.

Implementation of the project: between pragmatism and ambition

Once the project has been clearly defined, the preparation of the action plan is a very important stage in the landscape plan, for it is necessary to strike the right balance between ambition and pragmatism. A project which is not put into practice in the short term is a project without a future, for it is impossible to maintain the protagonists' motivation. It is therefore dangerous to immediately undertake far-reaching action. On the contrary, deciding on a measure which is carefully targeted but achievable in the short term, even if it appears modest, demonstrates the ability to act and creates a snowball effect. The exemplary value of a concrete achievement is the best argument to convince and find new partners, be it in the public sphere or in civil society (associations, regional planners, business enterprises, etc.) in a context in which governments' financial resources are limited.

Landscape plans: operational project tools

The Landscape Plan Club

The Landscape Plan Club encompasses 80 regions which responded to calls for projects. It is responsible for monitoring projects that are underway and for making further use of the experience and disseminating the results. This is achieved by running the network in such a way as to promote the exchange of practices between members of the Club. It also entails the publication of methods and techniques via the extranet website and the organisation of thematic days, which are open to non-member regions with a view to promoting such projects. The Landscape Plan Club is a body in progress. It was launched in 2013 and is therefore now five years old and has already demonstrated its ability to provide the regions with long-term assistance. The Club's work is focused first and foremost on the following aims:

- to develop the landscape approach on the basis of club members' experience in order to increase the attractiveness and vitality of the areas concerned;
- to develop co-construction methods; co-construction is a tool which helps to make changes and to mobilise all stakeholders; it is essential for overcoming obstacles to transition;

- to draw on the lessons learned from actions, and on the outcome of projects, via the Club's channels of communication and networks.

Regional landscape networks

Regional landscape networks bring together representatives of government departments, the regions and the *départements*. They are run by the persons in charge of landscape at the Ministry for Ecological Transition, whose roles are to co-ordinate the resources and tools available to the government, and local authorities to carry out each landscape plan. The French administrative authorities deal with different issues (town planning, culture and environment and so on) in a very compartmentalised manner. As a result, those responsible for landscape plans do not, at internal level, have all the skills required for carrying out their projects and have real difficulty in identifying appropriate tools and partners. The resulting general approach helps to resolve apparent contradictions between the different rules and regulations in force. It is therefore a powerful tool for co-ordinating sectoral policies.