



Environmental Principles
Team
Defra
2nd Floor,
Horizon House, Deanery
Road,
Bristol,
BS1 5AH

The IHBC National Office
Jubilee House
High Street
Tisbury
Wiltshire
SP3 6HA
Consultations@ihbc.org.uk
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Dear Sir

Draft Environmental Principles Policy Statement Consultation

The Institute of Historic Building Conservation is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

We are very pleased to have the chance to comment on the consultation document. The Institute's comments are as follows:

Question 1. Would you like your response to be confidential? **No**

Question 2. What is your name? **Fiona Newton**

Question 3. **I am responding on behalf of an organisation/institute**

Question 4. What type of organisation are you responding on behalf of?
The Institute of Historic Building Conservation is a Professional Body and a Charity.

Question 5. Do you think the overview section provides an adequate foundation for policy makers to apply the environmental principles in policy-making? **Yes although whilst general principles have been addressed here we presume there will be much more detail to follow to underpin replacement provisions for EIA, SEA, HRA, etc.**

Question 6. Do you think step one allows policy-makers to correctly assess the potential environmental effects of their policy? **Yes**

Question 7. Do you think step one ensures that policy-making will address the most important environmental effects? The meaning of the term environment specifically excludes 'buildings or other structures'. **Yes**

Question 8. Will step two assist policy-makers in selecting the appropriate environmental principles? **Yes**

Question 9. Do you think step three provide a robust and sufficient framework for the application of each individual environmental principle?

a. Integration **Yes** b. Prevention **Yes** c. Rectification **Yes** d. Polluter pays **Yes** e. Precautionary **Yes**

Question 10. Do you think the process for applying the policy statement (the three steps) provides a robust and sufficient framework for the application of the environmental principles as a whole? **Yes**

Question 11. Do you have any other comments on the draft policy statement which are not covered by the previous questions? **Yes. The IHBC is concerned with the historic built environment. Section 43 of the Environment Bill specifically excludes "buildings or other structures" from its ambit of protection. Section 45 in defining the meaning of environmental law as being "mainly concerned with environmental protection" but "is not concerned with an excluded matter". Buildings and other structures are excluded matters.**

However the Environment Bill in the context of Conservation Covenants in Part 7 of the Environment Bill Clause 108(3)(2) refers to the conservation of land "as a place of archaeological architectural, artistic, cultural or historic interest". Also Clause 108(3)(c) refers to the conservation of the setting of land with a natural environment which is a "place of archaeological, architectural, artistic, cultural or historic interest."¹

Yours sincerely

Fiona Newton
IHBC Operations Director

¹ Part 7 of the Environment Bill Clause concerning conservation covenants in relation to land states at Clause 108(3) :
For the purposes of subsection (1)(a)(ii), provision has a conservation purpose if its purpose is—
(a) to conserve the natural environment of land or the natural resources of 25 land, (b) to conserve land as a place of archaeological, architectural, artistic, cultural or historic interest, or
(c) to conserve the setting of land with a natural environment or natural resources or which is a place of archaeological, architectural, artistic, cultural or historic interest.