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20 September 2023

Dear Hedgerows Protections team,

I am writing to you on behalf of the Chartered Institute for Archaeologists (CIfA) and the Council for British Archaeology (CBA). We have responded to the Consultation questions via Citizenspace, but this letter communicates important supplemental information that the consultation did not provide an appropriate place for us to raise.

We wish to express our concern that the elements of GAEC 7a which cover field boundaries are not referred to in this consultation. Specifically historic field boundaries, such as dry-stone walls, stone dykes, and ditch and mound systems.

We also wish to highlight the omission of reference to the historic environment in this consultation, and raise important reflections on historical and archaeological provision within the Hedgerows Regulations 1997. We would like to make the case for these provisions to be updated and improved as part of any reforms that result from this consultation process.

#### Historic field boundaries

We are concerned that at present, the element of GAEC 7a which covers field boundaries other than hedges has been ignored, as they do not seem to have been considered as part of this consultation. No explanation is given as to where these elements of the existing GAEC will be covered in regulation once the GAECs are withdrawn. We have similar concerns about wider GAEC 7 provisions for other historic features and would like to know whether government intends to review these important provisions in light of a new approach to guiding agricultural stakeholders as to their statutory responsibilities and wider good practice in respect of heritage assets.

Under existing GAEC 7a, landowners are prohibited from removing existing stone walls, earth banks and stone banks and removing earth or stone from an existing stone wall, stone bank or earth bank.

As articulated in the existing Hedgerows Regulations 1997, hedgerows can be of importance by virtue of their historical or archaeological qualities. These qualities are usually found to have a

complementary relationship with other biodiversity and nature benefits, such as wildlife corridors and habitats.

Other historic field boundaries also share these same characteristics, with stone walls, dykes and ditches also offering, in many cases, benefits in respect of wildlife corridors, habitat, and reduction of erosion or soil run-off.

For these reasons it would be reasonable to consider the replacement of provisions from GAEC7a in the same place. We would therefore request that government considers this and provides us with an explanation about whether it would be possible or appropriate to include such provision in updated hedgerows regulations. If not, we would request that Government outlines where it intends to consider these related elements of GAEC 7a.

*Historic environment within Hedgerow Regulations 1997*

Schedule 1 part I and II of the Hedgerow Regulations 1997 outline important information regarding the criteria for determining 'important' hedgerows. This includes where a hedgerow marks a historic boundary, is associated with or incorporates a designated heritage asset or feature, is recorded as forming part of a pre-Inclosure field system, or is considered to be a key local landscape characteristic by the local planning authority.

This provision outlines a relevance that would equally apply to wider historic field boundaries and landscape features, particularly those assets such as trackways, holloways, drove roads, or other linear heritage assets, as well as historic field systems, and features such as ridge and furrow. It makes sense that these assets are considered alongside hedgerows within GAEC 7. Many of these assets are similar to hedgerows in the manner of their management and nature of their benefits that it seems to be unhelpful not to consider them in the same regulations as historic hedgerows.

We would like to confirm that it is not government's intention to remove the provision for historically and archaeologically important hedgerows in any updated Hedgerows guidance. Alternatively, if it is government's intention to remove this part of the Hedgerows Regulations, we would welcome confirmation that this is due to a decision to consider them in another place – e.g. as part of a new Historic Features, Landscapes, and Boundaries Regulations.

Whichever option is chosen, we feel that it is important that this provision is retained, and updated to reflect current practice and terminology (e.g. updating reference to Sites and Monuments Records to Historic Environment Records).

Yours sincerely,



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Policy and Advocacy Manager, ClfA

**About our organisations:**

The ***Chartered Institute for Archaeologists (CIfA)*** is the leading professional body representing archaeologists working in the UK and overseas. CIfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

The ***Council for British Archaeology (CBA)*** is an educational charity and national amenity society with a leading role in championing the public interest in archaeology. CBA works throughout the UK to involve people in archaeology and to promote the appreciation and care of the historic environment for the benefit of present and future generations. CBA has a membership of 500 heritage organisations who, together with thousands of individual members, represent national and local bodies encompassing state, local government, professional, academic, museum and voluntary sectors.