

## Response to consultation on heather and grass burning in England

21 May 2025

**A1. Do you agree with the proposal to change the boundaries of the Regulations to LFA to protect more upland peatlands? Please provide reasons why. (Please limit your response to 250 words)**

**Yes**

Campaign for National Parks support the inclusion of all known upland peat within the regulations. We have been calling for an immediate end to burning as a land management technique on peat soils for some time now. This practice is extremely harmful to the climate and biodiversity; has negative landscape impacts when it results in large areas of heather monoculture; reduces water quality; and increases flood risk. Furthermore, there is no evidence that such practices are needed for peatland restoration or the maintenance of healthy peatlands. The latest [evidence review](#) from Natural England '*suggests that burning impacts peatlands, and the ecosystem services they provide, via multiple mechanisms, and though recovery is often observed in the short to medium term, repeated burning risks a sustained departure from the characteristic structure and function of these habitats.*'

Since we published our [Policy Position Statement on Peatlands](#) in 2021, new mapping efforts have increased the amount of upland deep peat identified. As our understanding of complex habitats in England continues to grow all the time, we recommend that the boundary of the areas covered by these regulations be reviewed periodically to ensure that any newly identified areas of blanket bog are also included. However, it is essential that there is further consultation before including new areas where very different circumstances may apply, such as lowland peatland areas.

**A2. Please use the box below to provide your thoughts, if any, on the proposal to remove protection from those SSSIs that fall outside of the LFA. Please provide comments. (Please limit your response to 250 words)**

**We do not agree with removing protections from any protected sites.** The expansion of the less favoured area must not be at the expense of other habitat protections, particularly blanket bog, raised bog, lowland fen and wet heath. SSSI status has been awarded to a particular site for a reason, and this must be protected.

An analysis by RSPB of data for all the National Parks in England in 2020 found that moor burning was the most frequently cited reason for unfavourable condition of SSSIs (see p71 of our 2024 [Health Check report](#) for further details of this analysis). Extending restrictions on burning is therefore one of the key changes needed to improve SSSI condition in those areas where it has identified as a particular problem.

All protected land (SSSI, SAC and SPA) must remain under full legal protection to meet the Governments 30 by 30 commitment. Favourable condition of these areas should be achieved as quickly as possible and should be prioritised in National Parks.

There also needs to be much greater priority given to monitoring and enforcing compliance with these and other regulations which prevent damaging practices. Natural England has significant legal powers to ensure SSSIs are being cared for effectively but unfortunately the ability to use these powers is currently severely hampered by a lack of resources. This issue needs to be addressed as a matter of urgency and there is also a need to increase the penalties for non-compliance.

**A3. Do you agree with the proposed change of the prohibition of burning on peat 'over 40cm deep' to peat 'over 30cm deep'? Please provide reasons why. (Please limit your response to 250 words)**

**Yes.**

This is a positive step to include and protect a greater range of peatlands. This change will deliver significant carbon benefits as one hectare of 30cm deep peat holds as much carbon as one hectare of primary rainforest ([Peatlands: the challenge of mapping the world's invisible stores of carbon and water : UEL Research Repository](#)).

There is no evidence that burning is needed for peatland restoration or the maintenance of healthy peatlands as clearly stated in the IUCN position statement on burning and peatlands (<https://www.iucn-uk-peatlandprogramme.org/news/burning-peatlands-position-statement#>).

Campaign for National Parks believes there should be an immediate end to burning as a land management technique on all peat soils, no matter the depth. This practice is extremely harmful to the climate and biodiversity; has negative landscape impacts when it results in large areas of heather monoculture; reduces water quality; and increases flood risk. We, therefore, believe that consideration should be given to extending these regulations to cover all peatlands to ensure that other important and declining habitats with shallower peat, such as wet heath, are also protected.

**A4: Under what ground(s) would you be most likely to apply for a licence to burn?**

N/A

**A5. Do you agree that ground '(d) because the specified vegetation is inaccessible to mechanical cutting equipment and any other method of management is impracticable' should be removed?**

**Yes.**

This is one of the loopholes which has been allowing landowners to continue to burn and preventing the 2021 Regulations from having a meaningful contribution to restoring peatlands.

Alternate forms of moorland management are available and provide longer-term, natural solutions than burning, particularly blocking up drains and restoring water to natural levels, returning to wetter sphagnum rich habitats to prevent wildfires. For decades land managers such as the RSPB have been managing blanket bog reserves through a mixture of cutting and re-wetting. [Evidence](#) from studies in the EU shows that peatland rewetting and restoration is the most profitable thing to do over time, with long-term economic benefits. On top of natural flood protection, restoring dry, heather and sedge dominated peatlands with characteristic and wet natural features of peat-forming sphagnum moss brings a heap of benefits for biodiversity and carbon storage, in line with the intentions of the England Peat Action Plan.

**A6. Do you agree with adding 'research' as a ground to apply for a licence under the Regulations?**

**No**

The current proposal to add research is far too broad and risks creating an additional loophole for land managers to continue harmful burning. We would support a proposal for research to continue to expand scientific understanding of valuable peatland ecosystems, but it is essential that this includes rigorous criteria to ensure that this exemption is only used for the intended purpose, and it must also be accompanied by thorough monitoring of its application to protect against misuse and exploitation.

In general, we would like to see much tighter definitions of the exception criteria and to see them very clearly defined and published alongside the Statutory Instrument implementing the ban. Where burning continues to be licensed for conservation purposes, it should absolutely clear that it can only be undertaken by approved individuals working for approved organisations.

**A7. Would you support a move to link the revised Heather & Grass Management Code to the Regulations, making it compulsory to follow rather than advisable?**

**Yes.**

We very much welcome the proposal to make compliance with the revised Heather and Grass Management Code mandatory. It is clear that compulsory compliance is required to ensure peatland habitats are being managed effectively for nature. It is too easy for good practice guidance to be ignored or forgotten and the voluntary approach introduced by Natural England has failed to stop estates burning in the uplands. For example, a 2018-19 Friends of the Earth investigation [revealed](#) landowners continuing to burn on protected blanket bogs despite signing a voluntary agreement not to do so.

However, as we have already highlighted, monitoring and enforcement of these new requirements will be a significant challenge for Natural England without an appropriate uplift in their resources. Increasing the penalties for landowners who violate the Code would assist in securing compliance.

**A8. Would you support a move to make it a requirement to complete an accredited training course prior to burning under a licence granted under the Regulations?**

**Yes, for all practitioners.**

A [review](#) of the evidence on wildfires by Natural England found “strong evidence that managed fires escaping control cause a proportion of wildfires, particularly in the uplands”. The review reports data from a study in the Peak District National Park which found that only 24% of fires for which a cause could be identified from 1976 to 2004 were specifically attributed to escaped managed burns, but that these tended to be larger, accounting for 51% of the area affected by wildfires. Natural England recently updated the [definition of Favourable Conservation Status for heathland](#), recognising fire as an unnatural process in the UK occurring in systems which are not fire-dependent, and the importance of using natural processes to replace this management.

**Part B – Application Process**

No response

**Part C – Economic Impacts** (only relevant for those respondents who will be eligible for a licence under the Regulations)

No response



## Part D - Further Questions

### D1. Do you have concerns about the impacts of burning on the environment?

Yes.

National Parks contain a significant proportion of the nation's peat. All types of peatlands support important wildlife habitats and are vital carbon and water stores, as well as providing many other benefits but such areas could be making a far bigger contribution to tackling the climate and ecological emergencies. Undamaged bogs remove carbon dioxide from the atmosphere through photosynthesis in mosses and other peatland plants. Over time, carbon is stored in the peat which is composed of the dead, semi-decomposed plant remains. The Climate Change Committee has identified peatland restoration as a priority for climate change mitigation as healthy peatlands have the potential to store and lock up large quantities of carbon. A [comprehensive review](#) by Natural England in 2021 found that peatlands hold the largest carbon stores of all habitats and are unique in that they can go on sequestering carbon indefinitely when in healthy condition.

Healthy peatlands also reduce flood risk and provide high quality water that is much cheaper to treat for drinking due to reduced sediment load and better water colour. However, many of these benefits are lost when peatlands are damaged. Poorly managed burning damages peat-forming vegetation and encourages "fire-tolerant" species, such as heather, at the expense of other peatland species. The rapid heather growth provides a short-term carbon gain, but the long-term carbon trend is negative. Without the right plant species and appropriate levels of water, peat-forming is not possible, and the bog becomes "non-active" and will almost certainly be emitting carbon.

### D2. Have you been impacted in any way (positive or negative) by the use of burning as a land management method?

As peatlands support important wildlife habitats and species and play a vital role in carbon storage, flood risk alleviation and improved water quality we are all impacted negatively when the use of burning as a land management method damages these areas and exacerbates the climate and nature crisis.

Analysis for our [Health Check report](#) found that the peatlands in the National Parks of England and Wales are capable of storing over 80 million tonnes of carbon but only if they are in good condition. Various studies in recent years have indicated that between 70% and 80% of peatlands in the UK are damaged so it is reasonable to assume that the majority of peatlands in National Parks are in poor condition and that urgent action is needed to address this.

The large quantities of smoke are also a source of considerable distress to many of those living in areas where landscape scale moorland burning takes place, particularly at a time of heightened awareness, and concerns about the impacts, of air pollution. In some cases, this can affect significant numbers of people. For example, the smoke clouds from burning on the northern moors in the Peak District are often visible in Sheffield.

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