

Julie James AS/MS  
Y Gweinidog Newid Hinsawdd  
Minister for Climate Change



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/02250/22  
Eich cyf/Your ref P-0601297

Jack Sargeant MS  
Chair - Petitions committee  
Senedd Cymru  
Cardiff Bay  
Cardiff  
CF99 1SN

31 October 2022

Dear Jack Sargeant MS,

Thank you for your letter of 16 August to Lesley Griffiths MS, Minister for Rural Affairs and North Wales and Trefnydd, regarding controlled burning within the allowed period at Mynydd Mawr highlighted in petition P-06-1297 Stop "Controlled Burning" in Wales. As these matters are part of my portfolio it falls to me to respond.

The Heather and Grass Burning (Wales) Regulations 2008 and its accompanying Code are in place to ensure burning management is to be carried out in a planned, controlled, appropriate and safe manner which delivers environmental benefits and safeguards

Controlled burning is only permitted from 1 October – 31 March in upland areas and 1 November – 15 March elsewhere. Prior to the introduction of the Wales specific heather and grass burning regulations in 2008 the end dates for burning under the then England and Wales regulations were 15 April in the uplands and 31 March elsewhere. The dates were curtailed by some 15 days, in part, following research evidence provided by the BTO and RSPB of trends and timings for the commencement of nesting behaviour of relevant species in Wales at different altitudes. There is currently no evidence of nesting behaviour trends commencing earlier in the season. In the Welsh Government's view the current Regulations and supporting Code are fit for purpose.

Bae Caerdydd • Cardiff Bay  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

A range of semi-natural habitats are subject to managed burning including moorland and heath, grasslands and scrub. Carefully planned, periodic, controlled burning can be beneficial for agriculture, game management, wildlife conservation and the wider environment. It can produce a diversity of vegetation structure and composition suitable for a variety of wildlife, including upland birds. However, it is also a powerful tool, which needs to be used with skill and understanding if it is not to do more harm than good. Ill-considered burning can be counter-productive: damaging valuable grazing, plants, animals, habitats and historic features; altering the physical structure, chemical composition and hydrology of the soil; affecting water quality and weakening the character of the landscape.

For these reasons the Regulations require the completion of a Burning Management Plan in order to ensure all aspects are considered and prepared for in advance. For example, some habitats and areas are by nature of the terrain, species composition or difficult growing conditions, vulnerable to damage from intensive management including burning. Such damage can result in exposure of bare peat, soil erosion, impacts upon water quality and flow, including increased water colouration and run-off, and changes in species composition and habitat structure. For these reasons, areas such as peat bog, wet heath and scree slopes are considered 'no burn areas' and must be excluded from the proposed burning plan. There are also restrictions on when a burn can take place and their size and frequency. Responsible burning also requires the creation of effective firebreaks and having sufficient manpower to control active burns as well as informing adjoining landowners and the Fire and Rescue Service prior to commencement

Not to allow any form of burn management on open ground would also be problematic as areas not burnt for successive years often allows the build-up of coarse vegetation and woody biomass creating a fuel load which, in the event of a summer wildfire, can cause catastrophic and long-lasting damage to soils, sensitive habitats, wildlife and the wider environment, including neighbouring properties.

In circumstances where a land manager actively burns 'no burn areas' or negligently loses control of a planned burn, legal prosecution and or penalties relating to their Basic Payment Scheme subsidy support may be imposed.

With the increase in both extreme weather events and incidence of fires occurring throughout the landscape of Wales, Welsh Government promotes co-ordinated action between the emergency services, statutory bodies and local communities, in order to react to, report and record incidence, and by doing so help address poor practice and promote behavioural change. Operation Dawns Glaw ([Dawns Glaw](#)) a multi-agency task force, comprising the three Fire and Rescue Services, Police, Natural Resources Wales, Met Office, National Parks, Crimestoppers, the Welsh Government and others, is an initiative at the forefront of this approach.

We currently favour promoting a partnership approach such as the Healthy Hillides project rather than reviewing the current regulations which we believe are fit for purpose when followed correctly. Healthy Hillides ([Healthyhillides](#)) is a Welsh Government funded partnership programme delivering a nature based solution to reducing the risk of wildfire, improving the recovery of habitats following fire damage, protecting soils to reduce carbon released by wildfires. The work will deliver wider benefits for ecosystem resilience, water and air quality, making the landscape of the valleys more resilient and better able to adapt to climate change.

The Fire and Rescue Services and partners also work all year-round cutting fire breaks in strategic locations across Wales, to prevent the spread and severity of grass fires, should they break out. They also deliver educational programmes to young people who have either offended or are on the cusp of offending, on the dangers and consequences of deliberate fire setting; all of which are funded by the Welsh Government.

Yours sincerely,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

**Julie James AS/MS**  
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Minister for Climate Change