

Burning as a tool for the restoration of upland blanket bog: Position Statement by Natural England

Natural England is working with Defra, land managers and other partner organisations to secure the restoration of upland blanket bog, a crucial step for meeting the government's nature and climate change mitigation and adaptation targets, including the legally binding commitment to reach net zero carbon emissions by 2050. Ceasing burning on blanket bog is necessary for achieving restoration of the natural habitat and maximising the full suite of ecosystem service benefits associated with blanket bog habitat.

Natural England recognises the importance of the contribution of landowners and land managers to the restoration of blanket bog, welcomes the progress to date and hopes to continue to work with land managers to achieve significant levels of restoration in the future.

Natural England is responding to the large and increasing body of evidence that burning on blanket bog is damaging to peatland across a range of environmental outcomes and ecosystem services. Restoration of blanket bog habitats is necessary for the delivery of climate change mitigation, water quality improvement, flood risk mitigation and biodiversity recovery for the benefit of the economy and society.

While burning on blanket bog is generally considered to be harmful, in exceptional circumstances it may be appropriate to carry out a one-off burn for the purposes of restoration.

Natural England is the statutory body responsible for consenting certain activities on protected sites and must take its own view on the likely effects of proposals on the notified features of the site. Natural England here sets out the position it will take where a request is made to carry out a burn on blanket bog for restoration purposes.

1. Natural England remains committed to working with land managers to develop and agree restoration plans which focus on a range of outcomes to be achieved from naturally functioning blanket bogs.
2. Restoration management measures, including burning, must be designed specifically to ensure they are bespoke to the geography, ecology, climatic and management context of each individual site. This unique combination of factors on any given site will inform our assessment of whether burning can be consented in accordance with the tests set out in the Habitats Regulations¹.

¹ Conservation of Habitat and Species Regulations 2017 (as amended from time to time)

3. By way of example, burning on peat over 40cm in depth will only be consented where there is evidence that, having considered all other alternative management interventions, it will accelerate restoration of blanket bog habitat. In such cases it is because we can conclude that the burn is directly connected with or necessary for the management of the habitat for which the site has been designated.
4. In carrying out its Habitats Regulations assessment and making a decision on the requirements for restoration, Natural England will continue to be informed by the descriptions of blanket bog outlined in the Blanket Bog Land Management Guidance (BBLMG). As the BBLMG is not sufficiently precise in itself to be the sole guidance for evidence-based decisions we have clarified the circumstances in which burning would be considered appropriate. This guidance may be summarised as follows:
 - a. We would not expect burning for restoration to be effective when damaged hydrology has not yet been restored, or *Sphagnum* is frequent to abundant, or heather is not dominant;
 - b. Burning for restoration may be effective where the bog has been successfully rewetted, *Sphagnum* is absent to occasional, and heather (or other species such as purple moor grass) are dominant (all these conditions would need to be met);
 - c. Where a heather beetle infestation has occurred any burning remedy would still need to be consistent with the restoration of blanket bog habitat set out here;
 - d. We also recognise that there may be exceptional site specific circumstances where recovery of blanket bog may benefit from a burn.
5. The detailed guidance, including the 'traffic light' tables at Annex 1, describe the circumstances in paragraph 4 in more detail to assist in formulating management plans. Consideration of a notice for consent for an exceptional burn for restoration purposes will require land managers to submit a short-term, evidence-based plan. Any consent, which may cover burns for restoration purposes on different areas across a moorland over a period of time, will be bespoke to the particular site. Consents will be time-limited, usually up to three years, and any further proposals to burn for restoration purposes will be considered afresh, using experience gained to date, and be subject to a new consent.
6. In addition, in order to consent a burn for restoration, we would need evidence that the recovery was being impeded. We will therefore require pre- and post-intervention monitoring to be carried out by the consent holder, in order to be confident of the need for a burn, and to better understand the long-term impact of such an intervention. Annex 2 sets out the framework for the type of monitoring protocol we expect to be used, with a site specific plan to be agreed. This explains the monitoring that is required for all restoration activities.
7. Where burning continues on blanket bog we will consider appropriate regulatory mechanisms, for example, under S28 of the Wildlife and Countryside Act 1981 or the Environmental Damage (Prevention and Remediation) Regulations 2015 to end this practice.
8. Our mechanism for permitting a long term plan covering broader land management continues to be an agreement under section 7 of the NERC Act 2006, for up to 25 years.
9. We may from time to time provides updates to this Position Statement as we refine our approach and learn from monitoring and new evidence.