

Jack Sargeant MS
Chair, Petitions Committee
Welsh Parliament
Cardiff Bay
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CF99 1SN



Petitions@senedd.wales

16 March 2023

Dear Mr Sargeant

Petition P-06-1297 Stop "Controlled Burning" in Wales

Please accept our apologies for not having replied to your letter of 24 November.

We have sympathy with the petition's concerns about "controlled burning", both for its impact on peat soils and for the effect of uncontrolled fire on the habitats of birds and other animals, particularly reptiles. We believe that Welsh Government should review the *Heather and Grass Burning Code* for Wales, incorporating advice and evidence from Natural Resources Wales and others.

We should state at the outset that controlled burning can have a place in habitat restoration in some limited situations, but its effectiveness has been challenged and depends on multiple factors, including the intensity and scale of the fire. The merits of a controlled burn at a particular site must be assessed against the damage that a fire can cause to sensitive habitats, such as deep peat, and the *Code* rightly presumes against burning on such habitats. Furthermore, for a burn to be controlled relies on experienced practitioners and having sufficient mitigation measures, including trained people to prevent it getting out of control.

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Mae'r RSPB yn aelod o BirdLife International, partneriaeth o gyrrff cadwraeth sy'n gweithio i sicrhau cartref i fyd natur o amgylch y byd.

The RSPB is part of BirdLife International, a Partnership of conservation organisations working to give nature a home around the world.

RSPB never burns vegetation on peat and generally uses cutting or grazing to manage vegetation on any soil, although we undertake limited controlled burns on mineral soils on parts of our South Stack and Ramsey nature reserves where cutting is not feasible. Our experience is that cutting is more practical especially given the wet and breezy conditions in Wales that limit the opportunities for burning, and so the need for burning is very localised and specific.

Burning on deep peat

Despite the ability of peatlands to sequester and store huge amounts of carbon, the UK's peatlands are currently a net source of emissions. Peatlands account for [4.3% of the land area of Wales](#) but store up to 30% of our soil carbon, some [65.8 million tonnes](#). The UK's blanket bogs are globally rare ecosystems, protected under UK and international law. However much of this peat is in poor condition, with dry soils releasing emissions and failing to support wetland species. This is mainly due to drainage and burning. Our upland peatland should be a net carbon sink, it is instead a source of emissions. If the Government is serious about tackling the climate and ecological crisis, it must end burning on peatland habitats and scale up restoration such that degraded peat is brought under positive management.

The Welsh Government *Heather and Grass Burning Code* (2008) has a presumption against burning on sensitive habitats, including blanket bog with peat soils deeper than 50cm. Considerably more evidence on the impact of burning on peat has been obtained since the *Code* was last updated 15 years ago. We note that in England, Defra prohibits burning on peat greater than 40cm depth. We would urge Welsh Government, informed by the latest evidence and through the lens of the climate and nature emergency, to review the *Code*. **We believe that there is a strong case for burning to cease on peat soils, particularly on blanket bog, deeper than 30cm.**

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Timing of burning

Under [The Heather and Grass etc Burning \(Wales\) Regulations 2008](#), Ministers have set the dates of burning as 1 October to 31 March in the majority of Wales and 1 November to 15 March in lower altitude areas.

A review of the timing of nesting by selected birds by the British Trust for Ornithology (BTO) ([Wilson et al. 2021](#)) found that the timing of egg-laying, while varying by species, is advancing by 1–2 days per decade. At a GB level, egg-laying has started in 31% of Peregrine nests before burning ceases on 31 March, 15% of Lapwing nests, 10% of Golden Plover, 8% of Stonechat and 7% of Snipe. It is important to note that selection of a territory and nest-building starts some time before the first egg is laid and that the dates are based on an average across the whole of Britain, not in the milder conditions experienced in Wales. **We believe a review of the dates in Wales should consider a 'buffer' period to reduce the likelihood of nesting attempts being disrupted.** A review of dates should also account for other wildlife interests, including threatened reptiles and plants.

Wildfire

Wildfire is a growing concern, both grassland fires resulting from arson and 'controlled' burns that became uncontrolled. When those occur on, or spread into, peat soils, the consequences can be long-lasting and resource-hungry, as illustrated by the Llantysilio fire in Denbighshire in 2018. Some argue that burning, including on peat soils, has a key role to play in reducing fuel load. A Defra-funded study ([Heinemeyer et al. 2020](#)) concluded that cutting was less damaging than burning. **Restoring peatlands to good condition, including blanket bogs to the wetlands they should be, is widely acknowledged as the most effective long-term solution to minimise fire risk on and damage to peat, as well as delivering other benefits for carbon sequestration, water quality and nature.** The National Peatland Action Programme estimates that 63,830 ha, 71% of peatland in Wales, requires restoration, having been modified or used for agriculture or forestry.

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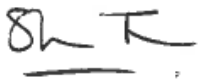
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Enforcement and reviewing the Regulations and Code

The climate emergency increases the risk of large wildfires by making landscapes, globally, more susceptible to burn more often and more severely, according to [research co-authored by Swansea University](#). Deliberate burning must not contribute unnecessarily to either carbon release or damage to nature, and thus we urge Welsh Government to commit to periodic reviews of the evidence, including its value for farming in the context of the aims of the Agriculture (Wales) Bill. Such **a review would also consider whether existing monitoring and enforcement of the Code are sufficient, both within and outside sites designated for nature**. RSPB scientists have developed a means to monitor burns using remote-sensing satellites, which could support this.

We urge the Petitions Committee to ask the Minister to review the regulations and statutory code on 'controlled burning' in Wales, ensuring that they align with and support the objectives of Sustainable Management of Natural Resources and Sustainable Land Management.

Yours sincerely



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