STATUTORY INSTRUMENTS

1983 No. 425

AGRICULTURE

HILL LANDS

The Heather and Grass Burning (England and Wales) Regulations 1983

Made - - - -	*15th March* 1983
Laid before Parliament	*25th March* 1983
Coming into Operation	*15th April* 1983

The Minister of Agriculture, Fisheries and Food, as respects England, and the Secretary of State as respects Wales, in exercise of the powers conferred by section 20(1) of the Hill Farming Act 1946(**a**) and now vested in them (**b**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Heather and Grass Burning (England and Wales) Regulations 1983, and shall come into operation on 15th April 1983.

Interpretation

2. In these regulations, unless the context otherwise requires—

"grass" means rough grass;

"open space" means any land, whether inclosed or not—

(a) on which there are no buildings, or

(b) of which not more than one twentieth is covered with buildings,

and the whole or the remainder is used for purposes of recreation, or lies waste and unoccupied;

"the Minister" means—

(a) in relation to England, the Minister of Agriculture, Fisheries and Food;

(b) in relation to Wales, the Secretary of State.

(**a**) 1946 c. 73.
(**b**) In the case of the Secretary of State by virtue of S.I. 1978/272.

Exclusion of land cultivated as pleasure grounds or for similar purposes

3. These regulations shall not apply to land cultivated as pleasure grounds, private gardens or allotment gardens except in so far as such land is adjacent to that on which burning is to take place or is taking place.

Exclusion from certain provisions of burning on land forming part of a railway

4. Regulations 5(2)(c), 6, 7 and 8 of these regulations shall not apply to any burning carried out on or before 31st March 1984 by or under the authority of the British Railways Board or the London Transport Executive upon land which forms part of any of their railways.

Regulation of heather or grass burning during any period of the year

5.—(1) No person shall during any period of the year commence burning heather or grass on any land between sunset and sunrise.

(2) No person shall at any time burn heather or grass on any land unless:—

(a) there are where the burning is taking place sufficient persons and equipment to control and regulate the burning during the entire period of the operation; and

(b) he takes, before commencing burning and during the entire period of the operation, all reasonable precautions to prevent injury or damage to any adjacent land, or to any person or thing whatsoever on that land; and

(c) he has, not less than 24 hours and not more than 72 hours before commencing burning on any land, given—

(i) to any person who has an interest in that land either as owner or occupier, and

(ii) to any person whom he knows, or could with reasonable diligence have discovered, to be in charge of any land adjacent to that on which the burning is to take place

notice in writing of the date or dates, time and place at which, and the extent of the area on which it is his intention to burn.

Prohibition on heather and grass burning during certain periods of the year except under and in accordance with the conditions of a licence

6. Without prejudice to regulation 5 of these regulations, no person shall burn heather or grass on any land within any of the areas specified in the schedule to these regulations between 15th April and 1st October in any year, or on any other land in England and Wales between 31st March and 1st November in any year, except in accordance with the conditions of a licence issued by the Minister under regulation 7 of these regulations.

Provisions as to the issuing or refusal of licences

7.—(1) Any person who, apart from the provisions of these regulations, would have a right to burn heather or grass on any land may apply to the Minister for a licence permitting him to burn heather or grass between the dates specified in regulation 6 of these regulations.

(2) Any such application shall be made in writing not less than 28 days before the date or the first date on which the applicant proposes to burn, and not more than 56 days before the date or the last date on which the applicant proposes to burn.

(3) It shall be the duty of the applicant:—

(a) to inform the Minister of the proposed date or dates, place, method and area of the burning, and to provide sufficient information to satisfy the Minister that the proposed burning is necessary and expedient for the purpose of improving the land; and

(b) not later than the date on which he applies to the Minister, to give—

(i) to any other person who has an interest in the land on which the burning is to take place either as owner or occupier; and

(ii) to any other person whom he knows, or could by the exercise of reasonable diligence have discovered, to be in charge of any land adjacent to that on which the burning is to take place

notice in writing of the application to the Minister together with the information included in that application pursuant to sub-paragraph (a) of this paragraph, and that representations may be made to the Minister within 7 days of receipt of such notice.

(4) The Minister, after considering any representations he may have received from any such person as is mentioned in paragraph (3)(b) of this regulation, may, if he considers it necessary and expedient for the purpose of improving the land, grant to the applicant a licence to burn heather or grass on the whole or any part of the land to which the application relates, subject to any conditions which may be specified in the licence.

(5) If the Minister proposes—

(i) not to issue a licence under paragraph (4) of this regulation; or

(ii) to issue a licence in respect of part only of the land to which the application relates; or

(iii) to issue a licence subject to any conditions

he shall notify the applicant in writing of his proposed decision and of the reasons therefor, and shall accord to the applicant an opportunity of appearing before and being heard by a person appointed for the purpose by the Minister.

(6) If within 7 days of receipt of such notification the applicant notifies the Minister that he wishes to appear before and be heard by such a person the Minister shall appoint a person and shall inform the applicant and any persons whose representations he has considered of the date, time and place at which the person so appointed will hear the applicant and such persons.

(7) The Minister shall supply a copy of the report of any person so appointed to any persons who appeared before the person submitting it, shall consider that report before issuing or refusing to issue a licence under paragraph (4) of this regulation, and may issue a licence permitting the burning of heather or grass on a date or dates later than the date or dates proposed in the application.

(8) The Minister shall notify his decision to the applicant and to any person whose representations he has considered, and shall, if requested on or before such notification, also furnish a statement of the reasons for his decision to the applicant and to any such person.

Special provisions relating to commons

8. In any case in which the burning of heather or grass is to take place on or adjacent to land which forms part of a common or open space or which is subject to rights of common or similar rights of grazing, the notices referred to in these regulations shall so far as they are notices to be given to persons in charge of or having an interest in such land be given, if the persons responsible for the management of such land are not to undertake the burning, to such persons and also in any event to the persons entitled to exercise the rights of common or similar rights of grazing.

Service of notices

9.—(1) Any notice required by these regulations to be given to any person shall be duly given if it is delivered to him personally, or left at his last or usual place of abode or place of business, or sent to him through the post in a letter addressed to him there.

(2) Any such notice required to be given to a body corporate shall be duly given if it is delivered to the secretary or principal officer of that body at its registered or principal office or sent through the post in a letter addressed to the secretary or principal officer of that body at that office.

(3) Any such notice required to be given to any person shall be deemed to be duly given to him if it is given, in the manner prescribed by this regulation, to an agent or local representative responsible to him for the management or supervision of the land to which the notice relates.

(4) Any such notice required to be given to persons entitled to exercise the rights of common or similar rights of grazing on any land shall be duly given if a copy thereof is prominently displayed in any convenient place on that land.

Revocations

10. The Heather and Grass Burning (England and Wales) Regulations 1949(**a**), the Heather and Grass Burning (Railways) General Licence 1949(**b**) and the Heather and Grass Burning (Amendment) (Northumberland and Durham) Regulations 1975(**c**) are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th March 1983.

L.S.

Peter Walker,
Minister of Agriculture, Fisheries and Food.

Nicholas Edwards,
Secretary of State for Wales.

15th March 1983.

(a) S.I. 1949/386. **(b)** S.I. 1949/495. **(c)** S.I. 1975/112.

SCHEDULE Regulation 6

AREAS IN WHICH BURNING WITHOUT A LICENCE IS PROHIBITED BETWEEN 15TH APRIL AND 1ST OCTOBER

ENGLAND

In the County of CHESHIRE, the parishes of: Bollington, Bosley, Disley, Gawsworth, Higher Hurdsfield, Kettleshulme, Lyme Handley, Macclesfield (Macclesfield Distict), Macclesfield Forest, Pott Shrigley, Rainow, Sutton (Macclesfield District), Wildboarclough, Wincle.

In the County of CLEVELAND, the parishes of: Guisborough, Loftus, Moorsholm, Stranghow (Langbaurgh).

In the County of CORNWALL, the parishes of: Advent, Altarnun, Blisland, Cardinham, Davidstow, Linkenhorne, Michaelstow, North Hill, Roche, St Austell with Fowey, St Breward, St Cleer, St Clether, St Mewan, St Neot, St Stephen in Brannel, Warleggan.

In the County of CUMBRIA, the parishes of: Above Derwent, Ainstable, Alston Moor, Arlecdon and Frizington, Arthuret, Asby, Askerton, Askham, Bampton, Barbon, Barton, Bassenthwaite, Beetham, Bewaldeth and Snittlegarth, Bewcastle, Blawith and Subberwaite, Blennerhasset and Torpenhow, Blindbothel, Blindcrake, Boltons, Bootle, Borrowdale, Bothel and Threapland Brampton, Brough, Brough Sowerby, Broughton East, Broughton West, Burtholme, Burton, Buttermere, Caldbeck, Cartmell Fell, Casterton, Castle Carrock, Castle Sowerby, Claife, Cleator Moor, Cockermouth, Colby, Colton, Coniston, Crook, Crosby Garrett, Crosby Ravensworth, Crosthwaite and Lyth, Culgaith, Cumrew, Cumwhitton, Dacre, Dalton, Dalton in Furness, Dean, Dent, Dillicar, Distington, Docker, Dufton, Dunnerdale with Seathwaite, Egton with Newland, Embleton, Ennerdale with Kinniside, Eskdale, Farlam, Fawcett Forest, Firbank, Garsdale, Geltsdale, Glassonby, Gosforth, Grange over Sands, Grayrigg, Great Salkeld, Greystoke, Haile, Hartley, Haverthwaite, Hawkshead, Hayton, Helbeck, Helsington, Hesket, Hethersgill, Hoff, Holme, Hugill, Hutton, Hutton Roof, Ireby, Irthington, Irton with Santon, Kaber, Kentmere, Keswick, Killington, Kings Meaburn, Kingwater, Kirkandrews, Kirkby Ireleth, Kirkby Stephen, Kirkoswald, Lakes, Lambrigg, Lamplugh, Lazonby, Little Strickland, Long Marton, Longsleddale, Lorton, Lower Allithwaite, Lower Holker, Loweswater, Lowick, Lowther, Lupton, Mallerstang, Mansergh, Mansriggs, Martindale, Matterdale, Middleton, Midgeholme, Milburn, Millom Without, Moresby, Muncaster, Mungrisdale, Murton, Musgrave, Nateby, Natland, Nether Denton, Nether Staveley, Nether Wasdale, New Hutton, Newby, Nicholforest, Old Hutton and Holmescales, Orton, Osmotherley, Ousby, Over Staveley, Patterdale, Pennington, Penrith, Ponsonby, Preston Patrick, Ravenstonedale, Satterthwaite, Scalthwaiterigg, Sebergham, Sedbergh, Setmurthy, Shap, Shap Rural, Skelsmergh, Skelton, Skelwith, Sleagill, Solport, Soulby, St Bridget Beckermet, St John Beckermet, St Johns Castlerigg and Wythburn, Stainmore, Stainton, Stapleton, Staveley, Strickland Ketel, Strickland Roger, Tebay, Threlkeld, Thrimby, Torver, Ulpha, Ulverston, Underbarrow and Bradleyfield, Underskiddaw, Upper Allithwaite, Upper Denton, Waberthwaithe, Waitby, Walton, Warcop, Waterhead, Weddicar, Westward, Wharton, Whicham, Whinfell, Whitwell and Selside, Windermere, Winscales, Winton, Witherslack, Wythop.

In the County of DERBYSHIRE, the parishes of: Abney and Abney

Grange, Aldwark, Ashford in the Water, Ashover, Aston, Bakewell, Ballidon, Bamford, Barlow, Baslow and Bubnell, Beeley, Birchover, Blackwell (West Derbyshire District), Bonsall, Bradbourne, Bradwell, Brampton, Brassington, Brough and Shatton, Brushfield, Burbage, Buxton, Calver, Carsington, Castleton, Chapel en le Frith, Charlesworth, Chatsworth, Chelmorton, Chinley, Buxworth and Brownside, Chisworth, Cromford, Curbar, Darley, Derwent, Eaton and Alsop, Edale, Edensor, Elton, Eyam, Eyam Woodlands, Fairfield, Flagg, Foolow, Froggatt, Glossop, Gratton, Great Hucklow, Great Longstone, Green Fairfield, Grindlow, Harthill, Hartington Middle Quarter, Hartington Nether Quarter, Hartington Town Quarter, Hartington Upper Quarter, Hassop, Hathersage, Hayfield, Hazelbadge, Highlow, Holmesfield, Hope, Hope Woodlands, Hopton, Ible, Ivonbrook Grange, King Sterndale, Little Hucklow, Little Longstone, Litton, Matlock, Matlock Bath, Middleton and Smerrill, Monyash, Nether Haddon, Nether Padley, New Mills, Newton Grange, Offerton, Outseats, Over Haddon, Parwich, Peak Forest, Rowland, Rowsley, Sheldon, Stanton, Stoke, Stoney Middleton, Taddington, Thornhill, Thorpe, Tideswell, Tintwistle, Tissington, Walton, Wardlow, Wensley and Snitterton (West Derbyshire District), Whaley Bridge, Wheston, Wingerworth, Winster, Wirksworth, Wormhill, Youlgreave.

In the County of DEVON, the parishes of: Arlington, Ashburton, Ashton, Bampton, Belstone, Berrynarbor, Bickington, Bickleigh (South Hams District), Bishops Nympton, Bovey Tracey, Bratton Fleming, Brendon, Brentor, Bridestowe, Bridford, Buckfastleigh, Buckfastleigh West, Buckland In The Moor, Buckland Monachorum, Chagford, Challacombe, Charles, Christow, Combe Martin, Cornwood, Countisbury, Dean Prior, Doddiscombsleigh, Drewsteignton, Dunsford, East Anstey, East Buckland, East Down, Gidleigh, Harford, Hennock, High Bray, Holne, Horrabridge, Ilsington, Ivybridge, Kentisbury, Knowstone, Lamerton, Lustleigh, Lydford, Lynton And Lynmouth, Manaton, Mariansleigh, Martinhoe, Mary Tavy, Meavy, Milton Abbot, Molland, Morebath, Moretonhampstead, North Bovey, North Molten, Oakford, Okehampton, Okehampton Hamlets, Parracombe, Peter Tavy, Plymouth (Plymouth District), Rackenford, Rattery, Rose Ash, Sampford Courtenay, Sampford Spiney, Shaugh Prior, Sheepstor, Sourton, South Brent, South Tawton, Sparkwell, Stoke Rivers, Stoodleigh, Swimbridge, Tavistock Hamlets, Throwleigh, Trentishoe, Twitchen, Ughborough, Walkhampton, West Anstey, Whitchurch, Widecombe In The Moor.

In the County of DURHAM, the parishes of: Barningham, Boldron, Bowes, Brancepeth, Brandon and Byshottles, Cockfield, Cornsay, Cotherstone, Crook and Willington, Edmondbyers, Eggleston, Forest and Frith, Gilmonby, Hamsterley, Healeyfield, Hedleyhope, Holwick, Hope, Hunderthwaite, Hunstanworth, Lanchester, Langleydale and Shotton, Lartington, Lunedale, Lynesack and Softley, Marwood, Mickleton, Middleton in Teesdale, Muggleswick, Newbiggin, Raby with Keverstone, Romaldkirk, Satley, Scargill, South Bedburn, Stanhope, Tow Law, Wolsingham, Woodland.

In the County of GREATER MANCHESTER, the parishes of: Bolton (Bolton District), Crompton, Horwich, Heywood, Lees, Little Borough, Longden Dale, Marple, Milnrow, Mossley, Oldham (Oldham District), Ramsbottom, Rochdale (Rochdale District), Saddleworth, Stalybridge, Wardle.

In the County of HEREFORD & WORCESTER, the parishes of: Aymestrey, Brampton Bryan, Bredwardine, Brilley, Burrington, Byton, Clifford, Craswall, Cusop, Dorstone, Eardisley, Elton, Garway, Huntington,

Kentchurch, Kington, Kington Rural, Kinsham, Knill, Lingen, Llanveynoe, Longtown, Lower Harpton, Michaelchurch Escley, Newton (South Herefordshire District), Orcop, Peterchurch, Pipe Aston, Richards Castle (Hereford), Rodd, Nash and Little Brampton, Shobdon, St Margarets, Stapleton, Titley, Walford Letton and Newton, Wigmore, Willey.

In the County of LANCASHIRE, the parishes of: Accrington, Aighton Bailey and Chaigley, Anglezarke, Barley with Wheatley Booth, Barnacre with Bonds, Barnoldswick, Bashall Eaves, Billington, Blackburn (Blackburn District), Blacko, Bleasdale, Bolton-by-Bowland, Bowland Forest High, Bowland Forest Low, Bowland with Leagram, Briercliffe, Brogden and Detached, Burnley (Burnley District), Burrow with Burrow, Caton with Littledale, Chipping, Claughton (Lancaster District), Cliviger, Colne, Darwen, Downham, Dunnockshaw, Dutton, Earby, Easington, Eccleshill, Foulridge, Gisburn Forest, Goldshaw Booth, Great Harwood, Grindleton, Habergham Eaves, Hapton, Haslingden, Heapey, Higham with West Close Booth, Hornby with Farleton, Ireby, Leck, Longridge, Mearley, Middop, Nelson, Nether Wyresdale, Newton, North Town, North Turton, Old Laund Booth, Oswaldtwistle, Over Wyresdale, Pendleton, Quernmore, Rawtenstall, Ribchester, Rimington, Rishton, Rivington, Roeburndale, Roughlee Booth, Sabden, Salterforth, Slaidburn, Tatham, Thornley with Wheatley, Tockholes, Trawden, Twiston, Waddington, West Bradford, Wheelton, Whittington, Whitworth, Wilpshire, Wiswell, Withnell, Worsthorne with Hurstwood, Worston, Wray with Botton, Yate and Pickup Bank.

In the County of NORTH YORKSHIRE, the parishes of: Airton, Aislaby (Scarborough District), Allerston, Appletreewick, Arden with Ardenside, Arkengarthdale, Arncliffe, Aske, Askrigg, Askwith, Austwick, Aysgarth, Bainbridge, Barden (Richmondshire District), Beadlam, Beamsley, Bellerby, Bentham, Bewerley, Bilsdale Midcable, Bilsdale West Side, Birstwith, Bishopdale, Blubberhouses, Boltby, Bolton Abbey, Bordley, Borrowby (Scarborough District), Bradleys Both, Bransdale, Brompton (Scarborough District), Broxa, Buckden, Burnsall, Burton cum Walden, Byland with Wass, Caldbergh with East Scrafton, Calton, Carleton (Hambleton District), Carlton, Carlton Highdale, Carlton Town, Carperby cum Thoresby, Castle Bolton with East and West Bolton, Cawthorne, Clapham cum Newby, Cloughton, Cold Kirby, Colsterdale, Commondale, Coniston with Kilnsey, Cononley, Coverham with Agglethorpe, Cowesby, Cowling, Cracoe, Cropton, Dacre, Dale Town, Dalton (Richmondshire District), Danby, Denton, Downholme, Draughton, Easby (Hambleton District), East Hauxwell, East Witton Out Parish, East Witton Town, Eavestone, Ebberston, Egton, Ellerton Abbey, Ellingstring, Elslack, Embsay with Eastby, Eskdaleside cum Ugglebarnby, Faceby, Fadmoor, Farndale East, Farndale West, Farnhill, Farnley, Felliscliffe, Fewston, Flasby with Winterburn, Fountains Earth, Fylingdales Moor and Det, Gayles, Giggleswick, Gillamoor, Gilling with Hartforth and Sedbury, Glaisdale, Glusburn, Goathland, Grassington, Great and Little Broughton, Great Ayton, Great Busby, Great Timble, Grewelthorpe, Grinton, Hackness, Halton East, Halton Gill, Halton West, Hanlith, Hartlington, Hartoft, Hartwith cum Winsley, Harwood Dale, Haverah Park, Hawes, Hawkswick, Hawnby, Hawsker cum Stainsacre, Hazlewood with Storiths, Healey, Hebden, Hellifield, Helmsley, Hetton, High Abbotside, High and Low Bishopside, Hipswell, Horton in Ribblesdale, Hudswell, Hunton, Hutton Le Hole, Hutton Mulgrave, Ilton cum Pott, Ingleby Greenhow, Ingleton, Kepwick, Kettlewell with Starbotton, Kildale, Kirby Hill (Richmondshire District), Kirby Knowle, Kirkby, Kirkby Malham, Kirkby Malzeard, Langcliffe, Laskill Pasture, Lastingham, Laverton, Lawkland, Levisham, Leyburn, Lindley, Linton, Little

Ayton, Little Busby, Litton, Lockton, Long Preston, Lothersdale, Low Abbotside, Malham, Malham Moor, Marrick, Marske, Melbecks, Melmerby (Richmondshire District), Menwith with Darley, Mickleby, Middleton (Harrowgate District), Muker, Murton (Nr Daletown-Ryedale District), Nesfield and Langbar, Nether Silton, New Forest, Newall with Clifton, Newbiggin, Newshaw, Newton, Newton Mulgrave, North Rigton, Norwood, Old Byland, Oldstead, Osmotherly, Otterburn, Over Silton, Pannal, Pickering, Pockley, Preston Under Scar, Rathmell, Ravensworth, Redmire, Reeth Fremington and Healaugh, Richmond, Rievaulx, Rosedale East Side, Rosedale West Side, Roxby, Rylstone, Sawley, Scawton, Scosthrop, Scotton, Settle, Silpho, Skelding, Skiplam, Skipton, Snainton, Sneaton, Snilesworth, Spaunton, Sproxton, Stainburn, Stainforth, Stainton, Stainton Dale, Stirton with Thorlby, Stonebeck Down, Stonebeck Up, Suffield Cum Everley, Sutton, Sutton under Whitestonecliffe, Swinton with Warthermarske, Thimbleby, Thoralby, Thornthwaite with Padside, Thornton Dale, Thornton in Craven, Thornton in Lonsdale, Thornton Rust, Thorpe, Threshfield, Thruscross, Troutsdale, Ugthorpe, Walburn, Warsill, Wensley, West Hauxwell, West Scrafton, West Witton, Westerdale, Weston, Whashton, Whorlton, Wigglesworth, Wykeham.

In the County of NORTHUMBERLAND, the parishes of: Acomb, Adderstone with Lucker, Akeld, Allendale and Det, Alnham, Alnwick, Alwinton, Bardon Mill, Bavington, Belford, Bellingham, Belsay, Bewick, Biddlestone, Birtley, Blanchland, Bowsden, Brinkburn, Callaly, Capheaton, Carham, Cartington, Chatton, Chillingham, Chollerton, Coanwood, Corbridge, Corsenside, Denwick and Det, Doddington, Earle, Edlingham, Eglingham, Ellingham, Elsdon, Ewart, Falstone, Featherstone, Ford, Glanton, Greenhead, Greystead, Haltwhistle, Harbottle, Hartleyburn, Haydon, Healey, Hedgeley, Henshaw, Hepple, Hesleyhurst, Hexham, Hexhamshire, Hexhamshire Low Quarter, Hollinghill, Humshaugh, Ilderton, Ingram, Kielder, Kilham, Kirknewton, Kirkwhelpington, Knaresdale with Kirkhaugh, Longframlington, Longhorsley, Lowick, Matfen, Melkridge, Middleton, Milfield, Netherton, Netherwitton, Newbrough, Newton on the Moor, Nunnykirk, Otterburn, Plenmeller with Whitfield, Rochester, Roddam, Rothbury, Rothley, Sandhoe, Shotley Low Quarter, Simonburn, Slaley, Tarset, Thirlwall, Thropton, Tosson, Tritlington, Wall, Wallington Demesne, Warden, Wark, West Allen and Det, Whittingham, Whittington, Wooler.

In the County of SHROPSHIRE, the parishes of: Abdon, All Stretton, Bedstone, Betws y Crwyn, Bishops Castle, Bitterley, Bucknell, Burwarton, Cardington, Caynham, Chirbury, Church Pulverbatch, Church Stretton, Clee St Margaret, Cleobury North, Clun, Clunbury, Colebatch, Coreley, Ditton Priors, Edgton, Farlow, Halford, Hope Bowdler, Hopesay, Hopton Castle, Hopton Wafers, Llanfair Waterdine, Llanyblodwel, Longnor, Lydbury North, Mainstone, More, Myndtown, Nash, Norbury, Oswestry Rural, Pontesbury, Ratlinghope, Ruckley and Langley, Rushbury, Selattyn and Gobowen, Shelve, Sibdon Carwood, Smethcott, Stoke St Milborough, Stowe, Wentnor, Westbury, Weston Rhyn, Wheathill, Winstanstow, Wollaston, Worthen.

In the County of SOMERSET, the parishes of: Bricknoller, Bishops Lydeard, Brompton Ralph, Brompton Regis, Brushford, Chipstable, Clatworthy, Crowcombe, Cutcombe, Dulverton, East Quantoxhead, Elworthy, Exford, Exmoor, Exton, Holford, Huish Champflower, Kilve, Luccombe, Luxborough, Minehead, Minehead Without, Nettlecombe, Oare, Old Cleeve, Over Stowey, Porlock, Selworthy, Skilgate, Spaxton, Stogumber, Timberscombe, Treborough, Upton, West Bragborough, West Quantoxhead, Winsford, Withypoole, Wiveliscombe Without, Wooton Courtenay.

In the County of SOUTH YORKSHIRE, the parishes of: Bradfield, Dunford, Ecclesfield, Gunthwaite and Ingbirchworth, Hunshelf, Langsett, Penistone, Sheffield (Sheffield District), Stocksbridge, Wortley.

In the County of STAFFORDSHIRE, the parishes of: Alstonefield, Blore With Swinscoe, Bradnop, Butterton, Cotton, Farley, Fawfieldhead, Grindon, Heathylee, Heaton, Hollinsclough, Horton, Ilan, Ipstones, Leekfrith, Longnor, Onecote, Quarnford, Ramshorn, Sheen, Tittesworth, Warslow and Elkstones, Waterhouses, Wetton, Wootton.

In the County of WEST YORKSHIRE, the parishes of: Addingham, Aireborough, Baildon, Bingley, Blackshaw, Brighouse, Clayton, Colne Valley, Denby Dale, Denholme, Elland, Erringden, Halifax, Hebden Royd, Heptonstall, Holmfirth, Huddersfield (Kirklees District), Ilkley, Keighley, Kildwick, Kirkburton, Meltham, Queensbury, Ripponden, Shelf, Silsden, Sowerby-bridge, Steeton With Eastburn, Thornton, Todmorden, Wadsworth.

WALES

In the County of CLWYD, the parishes of: Abergele Rural, Abergele Urban, Aberwheeler, Bersham, Bettws Gwerfil Goch, Betws Yn Rhos, Bodfari, Brymbo, Bryneglwys, Brynford, Bylchau, Cefn (Wrexham Maelor District), Cerrigydrudion, Chirk, Cilcain, Clocaenog, Colwyn Bay, Corwen, Cwm, Derwen, Dyserth, Esclusham Above, Glyntraian, Gwyddelwern, Gwytherin, Gyffylliog, Halkyn, Holywell, Hope, Llanarmon Dyffryn Ceiriog, Llanarmon Mynydd Mawr, Llanarmon yn Ial, Llanbedr, Llandegla, Llandrillo, Llandyrnog, Llanelian Yn Rhos, Llanelidan, Llanfair Dyffryn Clwyd, Llanfair Talhaiarn, Llanferres, Llanfihangel Glyn Myfyr, Llanfynydd, Llangadwaladr, Llangar, Llangedwyn, Llangernyw, Llangollen Rural, Llangollen Urban, Llangwm, Llangynhafal, Llannefydd, Llanrhaeadr ym Mochnant, Llanrhaeadr-yng-Nghinmerch, Llansannan, Llansantffraid Glynceiriog, Llansantffraid Glyndyfrdwy, Llansilin, Llantysilio, Llanynys Rural, Minera, Mold Rural, Nannerch, Nantglyn, Nercwys, Northop, Pentrefoelas, Penycae, Rhosllanerchrugog, Tremeirchion, Treuddyn, Whitford, Ysceifiog.

In the County of DYFED, the parishes of: Abergwili, Abernant, Betws, Blaenpennal, Caron-Is-Clawdd, Caron-Uwch-Clawdd, Castlellan, Castlebythe, Cellan, Cenarth, Ceulanymaesmawr, Cilcennin, Ciliau Aeron, Cilycwm, Cilymaenllwyd, Clydey, Cwmamman, Cwmrheidol, Cynwyl Elfed, Cynwyl Gaeo, Dihewid, Dinas, Eglwys Wen, Gartheli, Gwnnws Issa, Henrys Moat, Lampeter Rural, Letterston, Little Newcastle, Llanafan, Llanarth, Llanarthney, Llanbadarn Odwyn, Llanbadarn Trefeglwys, Llanddeusant, Llanddewi Brefi, Llandeilofawr Rural, Llandeilo Llwydarth, Llandingat Without, Llandissilio East, Llandovery, Llandybie, Llandyssiliogogo, Llandysul, Llanegwad, Llanelli Rural, Llanfair ar y bryn, Llanfair Clydogau, Llanfair Nant y Gôf, Llanfihangel Aberbythych, Llanfihangel ar Arth, Llanfihangel Penbedw, Llanfihangel Rhos y Corn, Llanfihangel Ystrad, Llanfynydd, Llanfyrnach, Llangadog, Llangeitho, Llangeler, Llangolman, Llangwyryfon, Llangybi, Llangynfelyn, Llangynllo, Llanilar, Llanllawddog, Llanllawer, Llanllwni, Llannon, Llanpumsaint, Llanrhystyd Haminiog, Llanrhystyd Mefenydd, Llansadwrn, Llansantffraid, Llansawel, Llanwenog, Llanwinio, Llanwrda, Llanybydder, Llanychaer, Llanychlwydog, Llanycrwys, Lower Llanfihangel y Creuddyn, Lower Lledrod, Maenclochog, Melindwr, Meline, Morvil, Myddfai, Mynachlog-ddu, Nantcwnlle, Nevern, Newport, Parcel Canol, Penbryn, Pencarreg, Penrydd, Pontfaen, Puncheston, Quarter Bach, Silian, Talley, Tirymynach, Trefeiriog, Trefilan, Trelech a'r Betws,

Troedyraur and Det, Upper Gwnnws, Upper Llanbadarn y Creuddyn, Upper Llanfihangel Y Creuddyn, Upper Lledrod, West Cilrhedyn, Ysbyty Ystwyth,Ysgubor-y-coed.

In the County of GWENT, the parishes of: Abercarn, Abergavenny, Abertillery, Bedwellty, Blaenavon, Brynmawr, Crucorney Fawr, Cwmbran, Ebbw Vale, Goetre Fawr, Grosmont Fawr, Henllys, Llanddewi Sgyrrid, Llanelly, Llanfoist Fawr, Llangattock-Vibon-Avel United, Llanover Fawr, Llantilio Crossenny, Llantilio Pertholey, Lower Machen, Mynyddislwyn, Nantyglo and Blaina, Pontypool, Risca, Rogerstone, Tredegar.

In the County of GWYNEDD, the parishes of: Aber, Aberdaron, Bala, Bardsey Island, Barmouth, Beddgelert, Bethesda, Betws Garmon, Betws y Coed, Botwnnog, Brithdir and Islaw r'dref, Buan, Caerhun, Capel Curig, Clynnog, Conwy and Det, Criccieth, Dolbenmaen, Dolgarrog, Dolgellau, Dolwyddelan, Eglwysbach, Eidda, Ffestiniog, Henryd, Llanaber, Llanaelhaearn, Llanbedr, Llanbedr y Cennin, Llanbedrog, Llanberis, Llandanwg, Llanddeiniolen, Llanddwywe is y graig, Llanddwywe uwch y graig, Llandecwyn, Llandegai, Llanderfel, Llandudno, Llandwrog, Llanegryn, Llanelltyd, Llanenddwyn, Llanengan, Llanfachreth, Llanfair, Llanfairfechan, Llanfihangel y pennant, Llanfor, Llanfrothen, Llangelynin, Llangower, Llanllechid, Llanllyfni, Llannor, Llanrhychwyn, Llanrug, Llanrwst Rural, Llansanffraid Glan Conwy, Llanuwchllyn, Llanwnda, Llanycil, Llanymawddwy, Llanystumdwy, Maenan, Maentwrog, Mallwyd, Nefyn, Penmachno, Penmaenmawr, Pennal, Penrhyndeudraeth, Pentir, Pistyll, Porthmadog, Talsarnau, Talyllyn, Tir Ifan, Trawsfynydd, Trefriw, Tudweiliog, Tywyn, Waunfawr.

In the County of MID GLAMORGAN, the parishes of: Aberdare, Bedlinog, Bedwas and Machen, Caerphilly, Coychurch Higher, Gelligaer, Llanfedw, Llangynwyd Lower, Llangynwyd Middle, Llanharan, Llantrisant, Llantwit Fardre, Maesteg, Merthyr Tydfil, Mountain Ash, New Tredegar, Ogmore and Garw, Penderyn, Pentyrch, Peterston super Montem, Pontypridd, Rhigos, Rhondda, Rhymney, Rudry, St Brides Minor, Taff's Well, Van, Vaynor.

In the County of POWYS, the parishes of: Abbeycwmhir, Aberedw, Aberhafesp, Aberyscir, Alltmawr, Battle, Bausley, Beguildy, Berriew, Bettws, Bettws Disserth, Bleddfa, Boughrood, Brecon, Bronllys, Bryngwyn, Builth Wells, Caereinion Fechan and Det, Cantref, Carno, Cascob, Castle Caereinion (Rural), Cathedine, Cefnllys Rural, Cemmaes, Churchstoke and Det, Clyro, Colva, Cray, Cregrina, Crickadarn, Crickhowell, Darowen, Discoed, Disserth and Trecoed, Ednol, Evenjobb, Newcastle, Barland and Burva, Fennifach, Forden, Garthbeibio, Garthbrengy, Gladestry, Glasbury, Glascwm, Glyn, Glynfach, Glyntawe, Guilsfield (Without), Gwarafog, Gwenddwr and Det, Harpton and Wolfpits, Hay Rural, Heyope, Hirnant, Isygarreg, Kerry, Kinnerton, Salford and Badland, Knighton, Litton and Cascob, Llanafanfawr, Llanafanfechan, Llananno, Llanbadarn Fynydd, Llanbadarn y Garreg, Llanbadarnfawr, Llanbedr Painscastle, Llanbedr Ystradwy, Llanbister, Llanbrynmair, Llanddetty, Llanddew, Llanddewi Abergwesyn, Llanddewi Ystradenny, Llanddewi' r Cwm, Llandefaelog Fach, Llandefalle, Llandegley, Llandeilo Graban, Llandeilo'r Fan, Llandewifach, Llandinam, Llandrindod Rural, Llandrindod Wells, Llandulas, Llandyssil, Llanelieu, Llanelwedd, Llanerfyl, Llanfair Caereinion, Llanfaredd, Llanfechain, Llanfigan, Llanfihangel, Llanfihangel Abergwesyn, Llanfihangel Brynpabuan, Llanfihangel Cwmdu, Llanfihangel Fechan, Llanfihangel Helygen, Llanfihangel Nant Bran, Llanfihangel Nant Melan, Llanfihangel Rhydithon,

Llanfilo, Llanfrynach, Llanfyllin, Llangadfan, Llanganten, Llangasty-Talyllyn, Llangattock, Llangenny, Llangorse, Llangunllo, Llangurig, Llangynidr, Llangyniew, Llangynog (Brecknock District), Llangynog (Montgomery District), Llanhamlach, Llanidloes, Llanidloes Without, Llanigon, Llanlleonfel, Llanllugan, Llanmerewig, Llanrhaeadr ym Mochnant, Llansantffraed, Llansantffraed Cwmdeuddwr, Llansantffraed In Elvel, Llansantffraid Pool, Llanspyddid, Llanstephan, Llanwddyn, Llanwern, Llanwnog, Llanwrin, Llanwrthwl, Llanwrtyd Wells, Llanwrtyd Without, Llanwyddelan, Llanynis, Llanyre, Llowes, Llysdinam, Llyswen, Machynlleth, Maescar, Maesmynis, Manafon, Meifod, Merthyr Cynog, Michaelchurch on Arrow, Middletown, Mochdre, Modrydd, Montgomery, Nantmel, New Radnor, Newchurch, Newtown and Llanllwchaiarn, Norton, Old Radnor and Burlingjobb, Partrishow, Penbuallt, Penegoes, Pennant, Penpont, Penstrowed, Pilleth, Presteigne, Rhayader, Rhosferig, Rhulen, Senny, St David Without, St Harmon, Stanage, Talachddu, Talgarth, Traianglas, Traianmawr, Trallong, Trefeglwys, Treflys, Tregoyd and Velindre, Tregynon, Trelystan, Trewern and Gwaithla, Uwchygarreg, Walton and Womaston, Welshpool, Whitton, Ysclydach, Ystradfellte, Ystradgynlais Higher, Ystradgynlais Lower.

In the County of SOUTH GLAMORGAN, the parishes of: Lisvane, Tongwynlais.

In the County of WEST GLAMORGAN, the parishes of: Baglan Higher and Det, Blaengwrach, Blaenhonddan, Cilybebyll, Clyne, Coedffranc, Dyffryn Clydach, Dylais Higher, Dylais Lower, Glyncorrwg, Llanguicke, Llwchwr, Mawr, Michaelston Higher, Neath, Neath Higher, Neath Lower, Port Talbot, Resolven, Rhyndwyclydach, Swansea, Tonna, Ynysymond.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which regulate the burning of heather and rough grass in any part of England and Wales, revoke and replace the Heather and Grass Burning (England and Wales) Regulations 1949 and the Heather and Grass Burning (Amendment) (Northumberland and Durham) Regulations 1975 by substantially new provisions.

The regulations prohibit any person from commencing to burn heather and rough grass during any period of the year between sunset and sunrise. Burning of heather and grass at any time is prohibited unless sufficient persons and equipment to control the burning are present, all reasonable precautions are taken to prevent injury or damage and at least 24 hours' but not more than 72 hours' notice is given to all persons with an interest in the land and persons in charge of adjacent land (regulation 5).

In addition, the regulations prohibit burning of heather and rough grass between 15th April and 1st October in the upland areas specified in the schedule and between 31st March and 1st November elsewhere in England and Wales, except under and in accordance with the conditons of a licence issued by the Minister (regulation 6). An applicant for a licence must give notice of his application to other persons with an interest in the land concerned or who are in charge of adjacent land. Such persons may make representations to the Minister concerning the application. If the Minister proposes not to issue a licence, or to issue a licence subject to conditions, the regulations introduce new provisions for the applicant for a licence and such other interested persons to have an opportunity to be heard by a person appointed for the purpose by the Minister (regulation 7).

The regulations do not apply to pleasure grounds, private gardens or allotment gardens except in so far as they are land adjacent to that on which burning takes place (regulation 3). The provisions relating to the giving of notices and obtaining of licences do not apply to burning by the British Railways Board or the London Transport Executive on their railways which is carried out on or before 31st March 1984 (regulation 4).

Any person who contravenes a provision of these regulations commits an offence under section 20(2) of the Hill Farming Act 1946 as amended by section 72(2) of the Wildlife and Countryside Act 1981 (c.69) and may be liable to a fine not exceeding level 3 on the standard scale established by section 37 of the Criminal Justice Act 1982 (c.48) (£200 at the commencement of these regulations).

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