STATUTORY INSTRUMENTS

2025 No. 1000

AGRICULTURE, ENGLAND

HILL LANDS

The Heather and Grass etc. Burning (England) (Amendment) Regulations 2025

Made - - - -	*8th September 2025*
Laid before Parliament	*9th September 2025*
Coming into force - -	*30th September 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 20(1) of the Hill Farming Act 1946(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Heather and Grass etc. Burning (England) (Amendment) Regulations 2025.

(2) These Regulations come into force on 30th September 2025.

(3) These Regulations extend to England and Wales.

Amendments to the Heather and Grass etc. Burning (England) Regulations 2021

2. The Heather and Grass etc. Burning (England) Regulations 2021(**b**) are amended in accordance with regulations 3 to 5.

Amendments to regulation 2

3. In regulation 2 (interpretation)—

(a) after the definition of "burning season" insert—

> ""less favoured area" means any area of land shown within the areas coloured pink and blue on the map marked as "Less Favoured Areas (England)", dated 21 August 2025, held by the Department for Environment, Food and Rural Affairs but does not include the land coloured pink in the Isles of Scilly;"(**c**);

(**a**) 1946 c. 73. Section 20(1) was amended by section 1 of the Hill Farming Act 1985 (c. 32) and S.I. 1955/554. The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by virtue of S.I. 2002/794.

(**b**) S.I. 2021/158.

(**c**) This map is available at https://www.gov.uk/guidance/heather-and-grass-burning-apply-for-a-licence#check-burn-area-LFA. The map may be inspected upon application to the Department for Environment, Food and Rural Affairs at 2 Marsham Street, London, SW1P 4DF.

(b) omit the definition of "designated site";

(c) in the definition of "upland area", for ""Map of Upland Area in England"" substitute ""Less Favoured Areas (England)", dated 21 August 2025,".

Amendments to regulation 3

4. In regulation 3 (prohibition of burning on peat over 40cm deep except under licence)—

(a) in the heading, for "40cm" substitute "30cm";

(b) in paragraph (1)—

(i) for "designated site" substitute "site which falls within a less favoured area";

(ii) for "40" substitute "30".

Amendments to regulation 4

5. In regulation 4 (licensing of burning), in paragraph (4)—

(a) in sub-paragraph (a), after "natural" insert "or historic";

(b) in sub-paragraph (c), for "risk" substitute "impact";

(c) omit sub-paragraph (d);

(d) after sub-paragraph (c), insert—

"(e) for research or educational purposes.".

Mary Creagh
Parliamentary Under-Secretary of State
Department for Environment, Food and Rural Affairs

8th September 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Heather and Grass etc. Burning (England) Regulations 2021 (S.I. 2021/158) ("the 2021 Regulations"), which regulate the burning of specified vegetation on peatland in England.

Regulation 3 removes the definition of "designated site" in regulation 2 of the 2021 Regulations, removing reference to European sites. It also introduces a definition of "less favoured area" and updates the reference in the definition of "upland area" to align with the new mapping terminology.

Regulation 4 amends regulation 3 of the 2021 Regulations to lower the threshold for the prohibition of burning on peat from 40cm to 30cm in depth and updates terminology to align with the new mapping terminology.

Regulation 5 amends regulation 4 of the 2021 Regulations to remove a licensing ground, amends existing grounds to include the protection of historic features, impact of wildfire, and introduces a new purpose for licensing: research or educational purposes.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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