

From: [REDACTED]
Sent: 29 August 2025 10:31
To: [REDACTED] DL-NE Board Members
Cc: DL-DEFRA-NE - Senior Leadership Team; SM-NE-CEOChairOffice (NE); SM-NE-NE Board and Exec Services; [REDACTED]
Subject: RE: Official Sensitive and Legally Privileged: CEO Update, August 2025

[REDACTED] & Board Members

Deep peat and the Defra consultation on burning regulations

Key points

- Defra's consultation on amendments to the Heather and Grass Burning Regulations closed in May and Defra has indicated an 'early September' response – so it is imminent.
- Minister Creagh's March announcement explained Defra's proposals [New proposals to ban heather burning on peatland to protect air, water and wildlife - GOV.UK](#), the key driver being net zero.
- The key proposed changes are: amending the definition of deep peat from 40cm to 30cm (now widely recognised ecologically accurate); extending to all upland areas using Less Favoured Area as the defining boundary; and mandating compliance with the Heather and Grass Burning Code.
- This would extend the current controls over burning on peat from 222,000 hectares to more than 368,000 hectares (of England's total 677,250 hectares of peat).
- Defra (Secretary of State) is the decision maker for any licence applications, and we are a statutory consultee.
- Natural England published evidence that supported the view on peat depth and burning effects, and we submitted a supportive response to the consultation.

Natural England Evidence

These key amendments (notably peat depth) were informed by evidence from Natural England published in March 2025. This included:

- [Blanket Bog Definition of Favourable Conservation Status \(FCS\)](#)
- [Heathland Definition of Favourable Conservation Status \(FCS\)](#)
- [Natural England's Evidence Review Update 'The effects of managed burning on upland peatland biodiversity, carbon and water' \(NEER115\)](#).

Management in practice

There has been a general downward trend in the amount of burning on deep peat since the 2021 regulations came into force to only about 1,500 ha burned now. This is thought to be associated with a shift in land management practice to cutting where practicable. This trend is expected to continue if these amendments are enacted.

The voluntary Heather & Grass Burning Code was last revised in 2007 and much has changed since then (e.g. restrictions on chemical control of bracken. Defra commissioned Natural England to conduct a review of the code and we have worked with stakeholders to make sure we can advise Defra on practical measures for them to incorporate in a revised code. As explained in the previously circulated [W₁ lines to take](#) on wildfire, our aim is to work with landowners and managers to help restore

habitats and ecological function (including re-wetting to build wildfire resilience) that are appropriate to local conditions and site characteristics, supported by practical advice, and incentives.

Our Deputy Director strategy lead for peatland restoration is [REDACTED]. Please do ask if you have any follow up questions.

Regards



Strategy Director – Landscapes, Peat and Species

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From: [REDACTED] [@naturalengland.org.uk>](mailto:@naturalengland.org.uk)

Sent: 22 August 2025 18:36

To: [REDACTED] <[REDACTED]@naturalengland.org.uk>; DL-NE Board Members <DL-NE-Board-Members@naturalengland.org.uk>; [REDACTED]@naturalengland.org.uk>

Cc: DL-DEFRA-NE - Senior Leadership Team <seniortl@defra.gov.uk>; SM-NE-CEOChairOffice (NE) <CEOChairOffice@naturalengland.org.uk>; SM-NE-NE Board and Exec Services <NE.BoardandExecServices@naturalengland.org.uk>

Subject: Re: Official Sensitive and Legally Privileged: CEO Update, August 2025

Dear [REDACTED]

You are quite right that there is some discomfort amongst upland landowners on possible changes to burning regs. Best if you and other board members are across the facts in case raised with you, though of course it will be a ministerial decision.

I'm not up to date on the timings for Defra's decision on their consultation so will ask [REDACTED] to reply on that, and also on NE's position (previous advice we have given Defra and our view on the questions raised in the consultation).

Sent from [Outlook for iOS](#)

From: [REDACTED] [@naturalengland.org.uk](#)
Sent: Friday, August 22, 2025 5:52:30 PM
To: [REDACTED] [@naturalengland.org.uk](#); DL-NE Board Members <[DL-NE-Board-Members@naturalengland.org.uk](#)>
Cc: DL-DEFRA-NE - Senior Leadership Team <[seniortl@defra.gov.uk](#)>; SM-NE-CEOChairOffice (NE) <[CEOChairOffice@naturalengland.org.uk](#)>; SM-NE-NE Board and Exec Services <[NE.BoardandExecServices@naturalengland.org.uk](#)>
Subject: Re: Official Sensitive and Legally Privileged: CEO Update, August 2025

Dear [REDACTED]

Many thanks for your report. With regard to wildfires and peatland management please you give an update on the consultation, and current thinking, on the definition of "deep peat". I understand that the intention is to change it from peat with a depth of 40cm to a depth of 30cm. What % of peatland land will this impact and how will it impact on the current management practices? I know from speaking with a Yorkshire MP that this proposed potential change is likely to have a significant impact.

Best wishes,

[REDACTED]

[REDACTED]
Non-Executive Board Member of Natural England

Mobile: [REDACTED]

From: [REDACTED] [@naturalengland.org.uk](#)
Sent: Thursday, August 21, 2025 2:53:36 PM
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Subject: Official Sensitive and Legally Privileged: CEO Update, August 2025

Good afternoon all,

Please see this month's update: [Natural England Board - 2508 August 2025 - All Documents](#)

The purpose of this monthly briefing is to provide headlines **for information/awareness on significant topics** including the highest risk operational casework, and especially that which may appear in the media. Should you need any more detail (eg if you are asked by stakeholder) do please ask.

Best wishes

[REDACTED]

[REDACTED]
Natural England

Please note that all non-personal inquiries, including complaints, correspondence, and approvals should be directed to CEOChairOffice@NaturalEngland.org.uk

For personal matters and highly sensitive information, I will respond as soon as possible. Thank you for your understanding.

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