

Peak District National Park Authority

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PEAK
DISTRICT
NATIONAL
PARK

David Smith
Principal Officer Communities & Partnerships
High Peak Borough Council

Sent by Email

Your ref:

Our ref: SF/SW

Date: 16 February 2021

Dear Dr Smith

We recognise the risk of wildfire to the fragile environment of the Peak District National Park and welcome a joint approach of partners to work together to reduce the risk and impact they can have.

We are interested to understand more details and any resource the Council might be willing to allocate to support the statement 'HPBC/DDDC intends to work with partners to raise awareness of the risks of wildfires and to encourage people to behave responsibly'. We would welcome a partnership approach to this issue.

One action alone will not solve the problem or help the necessary behaviour change we wish to encourage, so we welcome the intention to work with partners to also raise awareness of these risks with the public. We recognise that legislation is an important tool in this work, but is only of use if it is enforced. What plans do the council or Police have to enforce this proposed order?

We are uncertain that PSPO's are a necessary piece of legislation or the right legislation. PSPO's are more commonly used for more defined areas of land and to address specific area based issues, not such a wide spread blanket approach. We understand that PSPO's have been successful when enforced in specific locations such as where arson and careless camp fires have been a significant cause of repeated wildfires for example in Dovestone and in Kirklees.

Legislation does already exist, for instance the public cannot have open fires without landowners permission and open fires are not allowed on open access land under the CROW act. The PDNP worked with partners last year to raise awareness with the public about this, making it clear that we (and other major landowners) do not allow the public to have fires on our land. We do not have the resource to enforce bye laws and are only aware of very limited enforcement of existing legislation. Understanding the reasons for this might help inform the usefulness of any new PSPO's.

The proposed Order applies to all persons except those specified in Article 6 of the Order (namely police, ambulance, fire service or Peak District National Park Authority personnel acting in pursuance of statutory powers or duties). The Order would therefore apply to any landowners, occupiers or persons authorised by them wanting to carry out controlled burning on their land

Member of National Parks UK

Holder of Council of Europe Diploma



Chief Executive: Sarah Fowler

Chair: Andrew McCloy Deputy Chair: James Berresford

Working together for the Peak District National Park:

▪ To speak up for and care for the Peak District National Park for all to enjoy forever ▪

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and requiring Natural England consent under the Heather and Grass etc. Burning (England) Regulations 2007 (<https://www.legislation.gov.uk/uksi/2007/2003/contents/made>). This may impose an unnecessary additional burden on them and on HPBC. Section 50(6)(a) of the 2014 Act enables a prohibition or requirement to be framed so as to apply to 'all persons, or only to persons in specified categories, or to all persons except those in specified categories'. We therefore suggest that it may be appropriate to include an exemption for landowners/occupiers or people authorised by them carrying out controlled burning on their land, provided the proposed activity is carried out with any other necessary consents and in accordance with the 2007 Regulations and the Heather and Grass Burning Code or any replacements.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Fowler', written in a cursive style.

Sarah Fowler
Chief Executive

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