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STATUTORY INSTRUMENTS

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**2007 No. 2003**

**The Heather and Grass etc. Burning (England) Regulations 2007**

**Amendment of the Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) Regulations 2005**

**10.** The Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) Regulations 2005(1) are amended by substituting paragraph 17 of the Schedule with the following—

“**17.**—(1) A farmer must not burn heather, rough grass, bracken, gorse or vaccinium unless—

- (a) there are, where the burning is taking place, sufficient persons or equipment to control and regulate the burning during the entire period of the operation;
- (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 on that land.

(2) A farmer must not burn heather, rough grass, bracken, gorse or vaccinium—

- (a) on land which is within an upland area, during the period within any year from 16th April to 30th September, both dates inclusive; or
- (b) on all other land, during the period within any year from 1st April to 31st October, both dates inclusive,

except under (and in accordance with) a licence issued by Natural England under regulation 7 of the Heather and Grass etc. Burning (England) Regulations 2007.

(3) In sub-paragraph (2), “upland area” means all the land shown coloured pink (except land in the Isles of Scilly) in the three volumes of maps numbered 1 to 3, each volume being marked “Volume of maps of less-favoured farming areas in England”, dated 20th May 1991, signed and sealed by the Minister of Agriculture, Fisheries and Food.”(2)

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(1) [S.I. 2005/3459](#), to which there are amendments not relevant to these Regulations.

(2) These maps are deposited at the offices of the Department for Environment, Food and Rural Affairs at Ergon House, 2 Horseferry Road, London SW1P 2AL.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Heather and Grass etc. Burning (England) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- reg. 10 revoked by [S.I. 2009/3264 reg. 8Sch. 3](#)