

Hello Jenny

Please find below the response to your questions:-

The Heather and Grass burning code is a voluntary code that outlines best practice. The code itself is not law. It recognises that burning plans agreed with Natural England may vary from the code and where they do these plans take precedence. This reflects that the code is by its nature generic, whereas individual agreements and burning plans will be specific and tailored to local circumstances

The section of the code on sensitive areas relating to peat bog and wet heathland states that these areas should not be burned 'other than in line with a management plan agreed with Natural England'. The consent defines the agreed management operations (grazing, burning and use of vehicles) and so burning of these areas defined in this context does not contradict the code.

Overall the consent establishes agreed limits to the scale of management activity in the place of earlier imprecise consents. Burning activities on the Walshaw Estate will now be subject to specific controls - burning will not be permitted in areas where heather amounts to less than 50% of the vegetation and limits have been set regarding the length of rotations.

Please let me know if you have any further questions/queries.

Regards, Craig

Craig Hurd
Group Co-ordinator
Customer Services Leeds
Natural England
4th Floor
25 Queen Street
Leeds, LS1 2TW
Tel: 0300 060 4221
Fax: 0113 2303790

Our Customer Services Team has been awarded the Customer Service Excellence Standard

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

From: jennycarlyle@aol.com [<mailto:jennycarlyle@aol.com>]
Sent: 07 September 2012 22:09
To: Hurd, Craig (NE)
Subject: Re: question about Walshaw Moor Estate Notice and heather burning

Hello Craig

Thanks for the update and for chasing the information.

I'm away for a few days and if I haven't heard from you early next week, I'll give you a call towards the end of the week.

Regards,

Jenny

Jenny Shepherd

Web Content Creator, Writer, Digital Filmmaker

01422 842468, 07974 302 437

www.energyroyd.org.uk

[Linked In](#)

-----Original Message-----

From: Hurd, Craig (NE) (NE) <Craig.Hurd@naturalengland.org.uk>
To: jennycarlyle <jennycarlyle@aol.com>
Sent: Fri, 7 Sep 2012 17:46
Subject: RE: question about Walshaw Moor Estate Notice and heather burning

Hello Jenny

Further to my earlier email, I've spoken to one of the technical advisers involved in the prescriptions for the agreement. I'm afraid in this instance they are not going to be able to provide an answer within our usual 20 day deadline. This is largely because those who could provide the answer have been on annual leave, and due to the complexity of this agreement and prescriptions it is not something the local advisers can accurately answer, as would usually be the case.

I anticipate an answer being provided early next week, and I'll chase up again then to try and ensure this happens. If you would like to give me a call to discuss any of this my direct dial number is 0300 0604221.

Thanks, Craig

From: jennycarlyle@aol.com [<mailto:jennycarlyle@aol.com>]
Sent: 06 September 2012 11:18
To: Hurd, Craig (NE)
Subject: Re: question about Walshaw Moor Estate Notice and heather burning

Many thanks Craig, look forward to hearing from you - I did think the 10 working days was faster than usual.

Jenny

Jenny Shepherd

Web Content Creator, Writer, Digital Filmmaker

01422 842468, 07974 302 437

www.energyroyd.org.uk

[Linked In](#)

-----Original Message-----

From: Hurd, Craig (NE) (NE) <Craig.Hurd@naturalengland.org.uk>
To: jennycarlyle <jennycarlyle@aol.com>
Sent: Thu, 6 Sep 2012 10:41
Subject: RE: question about Walshaw Moor Estate Notice and heather burning

Hello Jenny

Please accept my apologies for the delay on this. I've noticed a typo in my original email, as our response time for a Freedom of Information request is 20 working days. This however brings us to today so I will chase up with the advisers and provide you with an update/answer by close of play today.

Regards. Craig

From: jennycarlyle@aol.com [<mailto:jennycarlyle@aol.com>]
Sent: 28 August 2012 11:28
To: Hurd, Craig (NE)

Subject: Re: question about Walshaw Moor Estate Notice and heather burning

Hello Craig,

Just wondering if the advisers have found an answer to my questions yet? Your 10th August email said they'd reply within 10 working days.

Regards

Jenny

Jenny Shepherd

Web Content Creator, Writer, Digital Filmmaker

01422 842468, 07974 302 437

www.energyroyd.org.uk

[Linked In](#)

-----Original Message-----

From: Hurd, Craig (NE) (NE) <Craig.Hurd@naturalengland.org.uk>

To: jennycarlyle <jennycarlyle@aol.com>

Sent: Fri, 10 Aug 2012 11:22

Subject: RE: another question

Hello Jenny

The questions you ask below are a little beyond my level of technical expertise I'm afraid. I've forwarded to the advisers who were involved with the drafting of the agreement and consents and asked that they respond. Please allow 10 working days for this response.

Regards, Craig

Craig Hurd
Group Co-ordinator
Customer Services Leeds
Natural England
4th Floor
25 Queen Street
Leeds, LS1 2TW
Tel: 0300 060 4221
Fax: 0113 2303790

Our Customer Services Team has been awarded the Customer Service Excellence Standard

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

From: jennycarlyle@aol.com [<mailto:jennycarlyle@aol.com>]

Sent: 09 August 2012 17:53

To: Hurd, Craig (NE)

Subject: another question

Hello Craig

I'm going through the documents you sent, plus the ones you referred me to, and one question has jumped out at me so far. I wonder if you could shed some light on it?

Basically, it seems that Natural England's Notice of Proposal and Consent for the Walshaw Moor Estate makes an explicit exemption from the Heather and Grass Burning Code.

It says that mapping the area's habitats, which must be completed by March 2013, must include 'sensitive areas' as identified in the Heather and Grass Burning Code – with the exception that "it shall not be necessary to identify the category described as 'Peat bogs and wet heathland' "

Doesn't this make a mockery of the fact that Natural England's Notice of Proposal and Consent also says:

"Sensitive areas: no burning"

By ruling out any need to identify the sensitive areas category of "peat bogs and wet heathland", Natural England seems to be saying to WME, "You must abide by the law that rules out burning sensitive areas – except if the sensitive area is peat bog or wet heathland. And then the rule doesn't apply."

Is this a fair understanding of what the burning consent amounts to, in relation to the ban on burning 'sensitive areas'? Or have I got the wrong end of the stick?

Thanks again for sending the docs so quickly.

Kind regards

Jenny

Jenny Shepherd

Web Content Creator, Writer, Digital Filmmaker

01422 842468, 07974 302 437

www.energyroyd.org.uk

[Linked In](#)

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Nothing in the email amounts to a legal commitment on our part unless confirmed by a signed communication. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.