



# Hill Farming Act 1946

## 1946 CHAPTER 73

### *Burning of Heather and Grass (England and Wales)*

#### **20 Power to regulate heather and grass burning in England and Wales**

- (1) The Minister of Agriculture and Fisheries may by regulations make provision for regulating or prohibiting the burning of heather and grass on land in England or Wales, and any such regulations may be made so as to extend to the whole of England and Wales or to any specified area therein, may regulate or prohibit the burning of heather and grass at all times or during such period as may be specified in the regulations and may contain different provisions with respect to land in different parts of England and Wales and to different periods.
- (2) If any person contravenes any provision of regulations made under this section, he shall be liable on summary conviction to a fine not exceeding five pounds or to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.

#### **21 Avoidance or relaxation of covenants against heather and grass burning in England and Wales**

- (1) Where- a lease of land in England or Wales contains a covenant, condition or agreement whereby the burning of heather or grass by the tenant is prohibited or restricted, the Minister of Agriculture and Fisheries, after affording to the landlord and to any other person who appears to him to be concerned an opportunity of making representations and, if so required by the landlord or that other person, of being heard, may, if it appears to the Minister that the covenant, condition or agreement is preventing or impeding the proper use for agricultural purposes of the land comprised in the lease or any of that land and that it is expedient in all the circumstances so to do, give such directions for avoiding or relaxing the covenant, condition or agreement, as he thinks fit.
- (2) This section applies to leases made before or after the commencement of this Act and shall have effect notwithstanding any stipulation to the contrary.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In this section the expressions " landlord ", " tenant " and " lease " have the meanings assigned to them respectively by the Landlord and Tenant Act, 1927.