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WELSH STATUTORY INSTRUMENTS

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**2008 No. 1081**

**The Heather and Grass etc. Burning (Wales) Regulations 2008**

**Prohibition on burning except under licence**

6.—(1) A person must not do any of the following except under (and in accordance with) a licence issued by the Welsh Ministers under regulation 7—

- (a) burn any specified vegetation outside the burning season;
- (b) burn, in a burning season, a single area, or two or more areas within 5 metres of each other with a combined area, the single or combined areas being each more than 0.5 hectares of specified vegetation—
  - (i) which has a slope of more than 45 degrees; or
  - (ii) where more than half of that area is covered by exposed rock or scree;
- (c) burn, in a single burn, an area of more than 10 hectares of specified vegetation;
- (d) burn, in a burning season, specified vegetation in a manner which exposes—
  - (i) a single area, or two or more areas within 5 metres of each other with a combined area, the single or combined areas being each more than 0.5 hectares of bare soil; or
  - (ii) an area of bare soil which—
    - (aa) extends more than 25 metres along the bank of a watercourse; and
    - (bb) is more than a metre wide at all points (for a continuous stretch of more than 25 metres), measured from the edge of the bank of the watercourse;
- (e) in connection with the burning of specified vegetation, leave soil smouldering for more than 48 hours.

(2) In paragraph (1)—

- (a) “area of bare soil” (“*llecyn o bridd moel*”) means an area of soil of which no more than 2% is covered by vegetation or plant litter;
- (b) “watercourse” (“*cwrs dŵ r*”) means any natural or artificial channel through which water flows, whether some or all of the time, including rivers, streams, ditches, grips, drains, cuts, culverts, dykes and sluices, but excluding mains and other pipes.