

# Voluntary Commitment Document

## A Voluntary Commitment for the restoration of blanket bog

This Agreement is dated 2018

### This agreement is between:

- 1) Natural England of Foss House, 1-2 Peasholme Green, York ('NE')
- 2) [Insert details] ('the Consent Holder')

### Aims and objectives

NE and the Consent Holder intend:

- 1) To suspend rotational burning on blanket bog at [Estate];
- 2) In line with the [Uplands Management Group's Blanket Bog Land Management Guidance](#),<sup>1</sup> to implement with immediate effect where necessary any changes to land management techniques, including burning for the purposes of restoration, at [Estate] to further the restoration of blanket bog habitat; and
- 3) To agree an effective long-term management plan in respect of [Estate] as soon as reasonably possible and no later than June 2019.

### Background/Context

The Consent Holder holds [a number of] consent(s) ('the Consent[s]') by which NE permits rotational burning to be carried out on blanket bog on the relevant land.

For the purposes of this document, 'blanket bog' means a rain-fed peat bog that blankets the landscape where the depth of peat is 0.4m or greater. 'Rotational burning' means regular, repeated burning over the same area of ground and includes all applications of burning except those carried out for restoration purposes and wildfire mitigation consistent with the Blanket Bog Land Management Guidance.

### Suspension of the use of Consents for rotational burning on blanket bog

The Consent Holder agrees to suspend rotational burning on blanket bog habitat on the relevant land (but not, for the avoidance of doubt, on any other part of the land affected by the Consent[s]) and not to rely on any Consent previously granted by NE, in so far as such Consent permits such burning. This commitment to suspend rotational burning on blanket bog habitat will take effect immediately and the intention is that it will subsequently be underpinned by a long-term management plan for the management of the land or an alternative form of consent as soon as possible.

NE accepts and agrees that the suspension of rotational burning agreed to by the Consent Holder is voluntary, not legally binding and does not modify any extant Consent(s).

### Long-term outcomes

The Consent Holder and NE will seek to agree a long-term management plan for [Estate] or an alternative form of consent. In seeking to agree the long-term plan, the signatories agree to work to the common principles set out at Annex 1.

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<sup>1</sup> <http://www.moorsforthefuture.org.uk/blanket-bog-land-management-guidance>

Signed by:

For and on behalf of NE

Signed by:

The Consent Holder

## Annex 1

### Principles for development of long-term plans with Natural England

The plans aim to combine all of the management of a site into one holistic document that integrates the needs of the parties to it. Natural England applies seven principles as key to the success of the plans. These principles have been developed for upland moorlands where driven grouse shooting occurs in order to implement and deliver the Blanket Bog Restoration Strategy. It is anticipated that these principles would also be applicable for long-term plans on other habitats, and with other land uses.

These principles are set out below.

	<b>Principle</b>	<b>Description</b>
1	A shared vision and commitment	<p>This is the first and most crucial step. Without a deep understanding of all parties' needs, misunderstanding will appear at a later stage. Through collaborative discussions the respective interests of the parties will be moulded into a single shared vision that sets out the agreed outcomes all parties are seeking to achieve on the site.</p> <p>Our expectation is that this will involve all those with a legal interest in the land that the plan will cover, including but not limited to all tenants, (grazing and shooting), commoners and landowners.</p>
2	Common Generic Features	<p>There are common generic features that we expect each plan to include which enable us to set out a framework for moorland management that we can develop with the land managers to deliver joint outcomes.</p> <p>These are:</p> <ul style="list-style-type: none"><li>• Identification and management of sensitive features.</li><li>• Sustainable infrastructure – ie: ensuring existing and proposed infrastructure such as butts, tracks, buildings are considered in the plan in a sustainable way.</li><li>• Vegetation management and restoration &amp; species management (including requirements of favourable condition). This needs to link to the Blanket Bog Restoration Strategy and any relevant work carried out through that strategy to describe vegetation states and restoration.</li><li>• Landscape - ie taking account of the landscape and addressing any effects of the plan on the landscape. Examples include: effect of cutting vegetation on visual qualities; impact of infrastructure on visual amenity and landscape character; any changes to landscape character through changes in management.</li><li>• Monitoring requirements of environmental outcomes.</li><li>• Research and trials.</li></ul>

		<p>If any of these generic features are not relevant to a plan, this needs to be made explicitly clear.</p> <p>The plan will describe these features following joint site visits between Natural England and land managers that thoroughly test the proposals, to build up a deep understanding of the needs of the site and the business over time, and ensure the plan is fit for purpose.</p>
3	Locally relevant	<p>Each plan must be bespoke to each site, because broad approaches do not take into account the unique demands of each site, be they climatic, topographical, ecological or managerial. We do, however, expect to learn and share across sites.</p>
4	Clear terms and conditions, (including the plans acting as a consent)	<p>In order to ensure the plans do not duplicate existing consents, they will replace or incorporate existing consents by mutual agreement. Each plan will include a review of all burning consents on blanket bog on the Land and will set out the Consent Holder's agreement not to carry out rotational burning in reliance on any consent previously granted.</p> <p>Management related to any existing agri-environment scheme will be incorporated, and the plans will provide a framework for any future agri-environment scheme application.</p> <p>Each plan will be subject to Habitats Regulations Assessment for all the Land that is within or adjacent to a SAC or SPA. The assessment of the plans will articulate the evidence that has been drawn upon, any levels of uncertainty; how different types of evidence have been taken into account; and how this has been weighed up against other factors (where appropriate).</p> <p>The legal instrument used to grant consent for the plan will vary according to whether any other legal agreements are in place. The consent will be time-limited to the lifespan of the plan, but we would expect work to review the plan will start well before the plan ends. A commitment to this review would be included in the plan.</p> <p>If land managers are operating in accordance with the plan, there is no need to seek further consent from Natural England, but land managers are encouraged to maintain dialogue with Natural England on anything they are unsure of.</p> <p>The plan will need to be clear whether additional permissions are needed from other regulators, and may need to be adapted accordingly eg: if planning permission is required. Natural England would not envisage finalising a management plan where there is an outstanding permit or authorisation needed from another body.</p>
5	Monitoring Annual Review	<p>Each plan will explain the outcomes that will be monitored, alongside Natural England's usual programme of site monitoring and condition assessment. The approaches to</p>

		<p>monitoring will be explicit in the plan, although the detail may need to be worked up during the first year of the plan.</p> <p>Each plan will be subject to an annual review to discuss progress, record activities undertaken that year, consider approaches used and the evidence gathered. Through the annual review meeting the parties can also agree any changes that might be required.</p> <p>The plans are designed so that it is in the interests of those using them to implement them correctly. Should this not be the case, any issues would be dealt with through Natural England's usual enforcement procedures. The plan may also be withdrawn.</p> <p>Over time the plans should demonstrate how Natural England adopts and showcases best practice and learning, and evaluates what is working or not. The plans will be reviewed and revised as necessary.</p> <p>Good practice will see land managers taking greater ownership (by self-assessment) of the monitoring, evaluation and research to help build on the evidence base.</p> <p>This will be particularly important where evidence is less certain, and Natural England will be seeking to incorporate specific research elements into plans, led by land managers, to enable proper evaluation of approaches and techniques, to support how we might adapt management in the future.</p>
6	Sensible Lifespan	<p>The length of time for which a plan will be operational will vary according to the needs of all parties, but should be no longer than 20 years. A shorter term is possible but tends to reduce the value of the plan.</p>
7	Transparency	<p>These plans are about sharing our understanding of the management of these sites and helping to build our evidence base. This means Natural England will publish progress on the plans and a brief summary of each one, and the plans will also be publicly available on request.</p>