



**Natural England consultation on the  
activation and expiry of fire prevention  
restrictions under the Countryside and  
Rights of Way Act (CRoW) 2000**

## Purpose of this paper

- 1 There has been widespread feedback on the effectiveness of the activation and expiry rules for fire prevention restrictions. Using lessons learned from experience, this paper sets out concerns that have been raised regarding this aspect of the fire prevention restrictions process, to check if the system is still robust. Where the process has proved to be cumbersome or misleading, new guidance is proposed.
- 2 This document forms the basis of an informal consultation. This is being circulated to a wide range of stakeholders, who are invited to provide comments and advice on the proposals outlined in this document by **Monday 1 October 2007**. Once comments have been received and considered, any new guidance that is required will be drafted and submitted to the Minister for approval.

## Consultees

- Defra,
- National Park Authorities,
- the Forestry Commission (FC),
- the Countryside Council for Wales (CCW),
- the Met Office,
- the Local Government Association,
- Access Authorities in England,
- Local Access Forums in England,
- the Country Land and Business Association (CLA),
- the National Farmers Union (NFU),
- the Ramblers Association,
- the British Association of Shooting and Conservation (BASC),
- the Moorland Association,
- the National Gamekeepers Organisation (NGO),
- the National Sheep Association,
- the British Mountaineering Council (BMC),
- the Open Spaces Society, and
- any other organisations or individuals with an interest in the proposals

## Making a response

- 3 If you would like to provide any comments on these proposals, please email a completed feedback form to [sarah.lloyd@naturalengland.org.uk](mailto:sarah.lloyd@naturalengland.org.uk) by **Monday 1 October 2007**.
- 4 We prefer to have a single response from each organisation. If there is anyone you think we have missed from the list of consultees, please pass this paper on to them and ask them to contact us directly with any response.

## Reference material

- 5 Chapter 2.4 of the Relevant Authority Guidance outlines the existing guidance to relevant authorities, and can be found on the managing access/guidance pages of our open access website. Land Manager Guidance for fire prevention restrictions can be found on the administering access/welcome pages of our open access website. The website address for both documents is [www.openaccess.gov.uk](http://www.openaccess.gov.uk)

## Background

- 6 The rules for activating fire prevention restrictions were set by the Countryside Agency in 2004, following advice from the Met Office. They were set on anticipated scenarios, and aimed to help land managers as far as possible in managing any restrictions that might occur. It was recognised that experience would provide a greater insight into how the system works, and form the basis of consequent amendments to policy.

## Activation of fire prevention restrictions

### Current rule

7. The Relevant Authority Guidance states that the Fire Severity Index must indicate exceptional conditions in the area affected for fire prevention restrictions to be valid.
8. The Land Manager guidance further clarifies that when the FSI is at level 5 on the current day, or forecasts a level 5 for the following day, fire prevention restrictions on outline directions are automatically activated.
9. In response to feedback from land managers, a text message/phone message service is operated to notify land managers and nominated personnel of restrictions on the day they are activated.

### Background

10. This process was set up to give as much warning as possible of restrictions, and anticipated minimal variance between the forecast for the following day and the current day FSI level. However, as with any forecast there is a risk of error and on occasion exceptional conditions are forecast for the following day, but do not actually occur. The Met Office anticipated that this type of forecasting error would not be significant, but it does occur on a regular basis. When the forecast is wrong, a restriction is activated on one day and expires almost immediately on the next. This can prove awkward for people managing restrictions on the ground, especially if they respond promptly to the activation message; and of course it results in unnecessary restrictions.
11. The most recent examples of forecasting errors occurred during the period of 30 April to 6 May 2007 (see Table 1). 83 fire prevention directions were activated during this period, of which 12 were forecasting errors, representing 14% of the total number of restrictions. These 12 directions were expired 1-2 days after they were activated. Where the restriction lasted 2 days this was where exceptional conditions were forecast for the following day on two consecutive days, but did not actually occur.

**Table 1:** Fire restrictions activated by forecasting error 30 April – 6 May 2007

Case number	Activated	Expired	Duration	Parcel name	Area
2005060008	30-Apr-07	01-May-07	1 day	Epworth Turbay	N Lincs
2005060196	30-Apr-07	01-May-07	1 day	Carbilly	Cornwall
2005050567	05-May-07	07-May-07	2 days	North Esk	N York Moors
2005060136	05-May-07	06-May-07	1 day	Nidderdale 5	N Yorkshire
2005060223	05-May-07	06-May-07	1 day	Nidderdale 6	N Yorkshire
2005060225	05-May-07	07-May-07	2 days	Nidderdale 4	N Yorkshire
2005090088	05-May-07	06-May-07	1 day	Barden Moor/Fell	Yorkshire Dales
2005090090	05-May-07	06-May-07	1 day	Grimwith-Hebden	Yorkshire Dales
2005060119	06-May-07	07-May-07	1 day	Cumbria 2	Cumbria
2005060120	06-May-07	07-May-07	1 day	Cumbria 4	Cumbria
2005060121	06-May-07	07-May-07	1 day	Cumbria 1	Cumbria
2005090084	06-May-07	07-May-07	1 day	Zone 8	Yorkshire Dales

- 12 The Met Office have advised us that the FSI tends to over predict the number of exceptional events, with greater occurrence the further ahead the forecast. Whilst the report indicated that that the forecast is most inaccurate for days 4 & 5, there is still a degree of inaccuracy for day one. Across the five FSI levels there is an average probability of detection rate of 70% for day one forecasts, and a false alarm rate of up to 40% (See Appendix 1 for full report). Clearly, the impact of a false alarm can be very significant to those managing restrictions on the ground, cancelling out any perceived advantage to having advance notice of a restriction.

## Proposal

- 13 The following day forecast on the FSI should be used only as a warning, and no longer act as a trigger for fire prevention restrictions when it reaches a level 5. Level 5 on the current day FSI will be the only trigger for activating fire prevention restrictions.
- 14 An email will be sent out to relevant authorities, access authorities and any additional email contacts, warning the recipient that exceptional conditions are forecast for the following day. The email could also include either a generic site notice with blank start date (pdf file), or a site notice specific to the case number with a blank start date (pdf file). The site notice could be printed off in advance in readiness for posting should exceptional conditions occur.
- 15 This email would only be sent out as a warning; it is not a notification of a fire prevention restriction.

## Wording of email

**Title:** Fire Severity Index Warning: case number [insert here]

**Body of text:** The Fire Severity Index (FSI) is forecast at level 5 tomorrow on one or more of the OS grid squares covered by the outline fire prevention direction referenced above. Should a level 5 occur in any of the OS grid squares affected, a fire prevention restriction will be activated and you will be notified by email.

To find out if your restriction is activated as quickly as possible, you can check the FSI tomorrow morning. To view the FSI look on [www.openaccess.gov.uk](http://www.openaccess.gov.uk)

# Expiry of fire prevention restrictions

## Current rule

- 16 The Relevant Authority Guidance states that after exceptional conditions occur, restrictions should cease after the current day FSI on the relevant grid squares have remained below a level 5 for 5 days, or below a level 3 for 3 days.
- 17 The Land Manager guidance further clarifies that a restriction will cease when none of the forecast days on the FSI (days 1-5) contain a level 5.

## Background

- 18 The first rule provides a wind down period after the occurrence of exceptional conditions during which restrictions remain in place. It also avoids any excessive fluctuation in the activation and expiry of restrictions, which might prove difficult to manage on the ground.
- 19 The second rule aims to avoid further fluctuation in activation and expiry of restrictions when any day in the 5 day forecast is predicted to be exceptional. Consequently a restriction may remain active simply on the strength of the five day forecast.
- 20 An example of such circumstances can be seen in Table 2. Using both rules the restriction remained active for the whole period. Using only the first rule the restriction would have been active until 8 July, and would have reactivated on 17 July. In our view the use of the second rule put a restriction on the land for longer than necessary for fire prevention.

**Table 2:** Fire restrictions in Sussex and Surrey activated 2 July 2006

OS grids	02-Jul	03-Jul	04-Jul	05-Jul	06-Jul	07-Jul	08-Jul	09-Jul	10-Jul	11-Jul	12-Jul	13-Jul	14-Jul	15-Jul	16-Jul	17-Jul
SU82	5*	5	4	4	3	3	3	3	3	1	2	3	4	4	4	5
SU83	5*	5	4	3	3	3	3	3	3	1	2	3	4	4	4	5
AU91	5*	5	4	4	3	3	3	3	3	1	2	3	4	4	4	5
SU92	5*	5	4	4	3	3	3	3	3	1	2	3	4	4	4	5
SU93	5*	5	4	3	3	3	3	3	3	1	2	3	4	4	4	5
TQ02	5*	5	4	3	3	3	3	3	3	1	2	3	4	4	4	5
TQ04	5*	5	4	2	2	3	3	3	3	1	2	3	4	4	4	5

\* denotes following day forecast of 5

## Proposal

- 21 Restrictions should not be prolonged on the basis of the 5-day FSI forecast. The expiry rules should instead be aligned with the Relevant Authority Guidance, solely on the basis of the current 3-5 day wind down period. The 5 day forecast should only be used as a warning.
- 22 If a restriction is already in place, there will be no warning email for exceptional conditions the following day.

## Feedback form: Activation of fire prevention restrictions

The following day forecast on the FSI should be used only as a warning, and no longer act as a trigger for fire prevention restrictions when it reaches a level 5. Level 5 on the current day FSI will be the only trigger for activating fire prevention restrictions.

Agree:  X

Disagree:

No view:

Further comment:

An email will be sent out to relevant authorities, access authorities and any additional email contacts, warning the recipient that exceptional conditions are forecast for the following day.

Agree:  X

Disagree:

No view:

Further comment:

- a) The warning email should be sufficient without any site notice.
- b) The warning email should include a generic site notice with blank start date.
- c) The warning email should include a site notice specific to the case number with a blank start date.

a:  X

b:

c:

No view:

Further comment:

A warning email would only be sent out prior to any restriction being activated and would not be a notification of a fire prevention restriction.

Agree:  X

Disagree:

No view:

Further comment:

## Feedback form: Expiry of fire prevention restrictions

The following day forecast on the FSI should be used only as a warning, and no longer act as a trigger for fire prevention restrictions when it reaches a level 5. Level 5 on the current day FSI will be the only trigger for activating fire prevention restrictions.

Agree:  X

Disagree:

No view:

Further comment:

Restrictions should not be prolonged on the basis of the 5-day FSI forecast. The expiry rules should instead be aligned with the Relevant Authority Guidance, solely on the basis of the current 3-5 day wind down period. The 5-day forecast should only be used as a warning.

Agree:  X

Disagree:

No view:

Further comment:

If a restriction is already in place, there will be no warning email for exceptional conditions the following day.

Agree:  X

Disagree:

No view:

Further comment:

Please state here your name and the organisation you represent:

Mike Rhodes  
Access and Rights of Way Manager  
Peak District National Park Authority

Please email your completed feedback form to [sarah.lloyd@naturalengland.org.uk](mailto:sarah.lloyd@naturalengland.org.uk) by **Monday 1 October 2007**.