

Parliamentary briefing: Fixing the upland peat burning ban

Executive summary

- The Government's partial ban on the burning of upland peat, designed to prevent the release of ancient stores of carbon into the atmosphere, is undermined by limited scope and loosely worded exemptions.
- These flaws open routes to continued burning on a scale that could render the ban almost completely ineffective.
- Without swift action to strengthen the ban, upland peat moors could be ablaze and releasing carbon when world leaders meet in Glasgow for COP-26 climate talks later this year.
- New YouGov polling demonstrates widespread public support for strengthening the ban.

Peat as a carbon store

Globally peat holds twice as much carbon as all the world's forests. Correspondingly, peatlands are the UK's biggest carbon sink, storing around 3.2 billion tonnes of carbon.¹

Upland deep peat, also known as blanket bog, is the peat habitat most effective for carbon storage. England contains around 355,000 hectares of upland deep peatland habitat (referred to as upland peat in the remainder of this briefing), with concentrations being found in the Pennines, the Fens and on the moorlands of the South West.²

These high value upland peat habitats are subject to peat burning, a practice designed to create better conditions for the rearing of grouse for the shooting industry. Burning reverses peat's function as a carbon store, releasing CO₂ into the atmosphere. Around 260,000 tonnes of CO₂ are released every year from burning on peat in England.³

Peat burning quite literally sets fire to one of our best natural assets in the fight against climate change.

The flaws in the Government's partial ban of peat burning

In January 2021, the Government announced⁴ that a Statutory Instrument would shortly be introduced to prevent burning on upland peat.

The first flaw in the ban is its scope. As announced the ban only covers areas of upland peat that are in a Site of Special Scientific Interest, and in a Special Area of Conservation or a Special Protection Area.

¹ <https://www.wildlifetrusts.org/soils-and-carbon>

² <http://publications.naturalengland.org.uk/publication/30021>

³ Ibid

⁴ <https://www.gov.uk/government/news/englands-national-rainforests-to-be-protected-by-new-rules>

Link has calculated that only 109,043 ha of English upland peat meet these specifications, out of a total of 355,000 hectares.⁵

This means that the maximum application of the ban would see it protect approximately 30.7% of English upland peat. At least 69.3% of upland peat is excluded from the ban as it is outside the specified protected areas.

The proportion of upland peat protected is likely to be even less than 30% in practice, due to the second flaw in the ban – a series of exemptions. These exemptions mean that within protected areas burning can continue for conservation purposes, for wildfire prevention and where land is inaccessible. These are all very loosely defined exemptions to the ban which, will be used as loopholes to enable continued burning in protected areas. In particular the exemption for areas ‘inaccessible to cutting machinery’ could be widely used to bypass the ban and lead to long legal wrangling.

The consequences of a flawed ban

Peat burning season this year co-incides with the UK’s hosting of the global climate conference, COP26, which will see the Government champion nature-based solutions to climate change. In the words of Environment Minister Lord Goldsmith: ‘the UK will use our Presidency of COP26 to persuade other countries to put nature at the heart of their climate response.’⁶

This advocacy will be undermined if it takes place against a backdrop of burning peat. The UK cannot be a champion of nature-based solutions to climate change whilst simultaneously setting 70% of a domestic natural carbon store ablaze.

A failure to properly protect upland peat will go beyond undermining the Government’s climate work; it will also have wider detrimental impacts on the environment. Burning peatland reduces its biodiversity value for important species like golden plovers or sundew plants, and effects water quality - 70% of our drinking water is from peatland river catchments.⁷

Fixing the flaws

Two amendments would greatly strengthen the ban and ensure that it delivers on its intended purpose:

- 1) The condition that areas must be in an SSSI and a SAC or SPI should be dropped, thereby extending the coverage of ban from 30% to all upland peat in England.
- 2) The exemptions should be tightened. A tight definition of what constitutes inaccessible, and requirements for evidenced support from the local fire authority for wildfire prevention burning, and from Natural England for conservation, could prevent abuse of the exemptions within protected areas.

⁵ 104,241ha in SACs and 4,802 ha in Bowland SPA – RSPB calculations from JNCC data

⁶ <https://www.telegraph.co.uk/news/2020/09/27/britain-will-use-financial-diplomatic-power-help-save-planet/>

⁷ <https://www.wildlifetrusts.org/soils-and-carbon>

The window for tightening up these flaws is narrow, with the Statutory Instrument (SI) to implement the ban due imminently.

Public support for a comprehensive ban

Link has commissioned You Gov to run polling on the Government's partial ban on peatland burning.⁸ The polling found:

- 60% of the British public want to see the Government's peat burning ban expanded to cover all peatland at risk of being burned, with only 3% opposed.
- 56% also want a ban on the burning of all at risk peatland in Scotland, Wales and Northern Ireland, with only 5% opposed.

This follows polling from the end of January⁹ which revealed that:

- Two-thirds of Brits want promises to protect peat included in UK pledges for COP26 (with only 1% opposed).
- 67% want the government to ensure our natural carbon stores, like peat, are healthy and capture as much carbon as possible.

How you can help

Link has made [representations](#) to Defra, requesting a strengthening of the ban. Amplification of these representations, by letter or PQ, would be hugely helpful. If an SI is introduced without the necessary amendments, we are hopeful that it will be prayed against to enable debate and further scrutiny.

Strengthening the ban will prevent an embarrassing undermining of the UK's Government's COP26 message, ensure the protection of a key habitat and advance the net zero target. Removing upland peatland burning as a source of CO2 pollution would be equivalent to taking more than 175,000 cars off the road.¹⁰

A comprehensive peat-burning ban is possible, popular and necessary. This is a COP26 moment to seize.

For questions or further information please contact:

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Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 58 organisations to use their strong joint voice for the protection of nature.

⁸ All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 1,756 adults. Fieldwork was undertaken on 10-11 February 2021. The figures have been weighted and are representative of all GB adults.

⁹ <https://www.wcl.org.uk/partial-peat-burning-ban.asp>

¹⁰ <http://publications.naturalengland.org.uk/publication/30021>