

Rt Hon George Eustice MP  
Secretary of State  
Department for Environment, Food and Rural Affairs  
2 Marsham Street,  
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16 February 2021

### **Peat burning in the uplands**

Dear Secretary of State

We welcome the environmental intention behind your recent announcement of a partial burning ban on blanket bog.

Unfortunately, if limits and licensing loopholes remain, it will not contribute meaningfully to the Government's commitment to restoring peatlands. On the contrary, a broad interpretation of the stated exemptions would allow burning to continue virtually unabated and undermine the Government's commitment to achieving net zero carbon emissions and ecological recovery.

With this in mind, we are writing to ask you to reconsider the limits of the ban and narrow the loopholes.

The proposed ban is limited to deep peat (>40cm) that is both a Site of Special Scientific Interest (SSSI) and part of the National Site Network. This is surely at odds with the goal in the 25 Year Environment Plan for all soils to be under sustainable management by 2030. The distinction between SSSIs and the National Site Network is an artificial one. This problem will grow as more SSSIs are designated, as they would not be included in the ban. Instead, we recommend extending the ban to all upland peat—shallow and deep—both inside and outside the protected area network. This would secure existing peat carbon stocks and enable recovering peatlands to sequester more carbon.

The licensing loopholes described in the announcement on 29th January are very loosely defined. For example, the interpretation of land inaccessible to cutting machinery could be extremely fraught and lead to long legal wrangling, unless it is tightly circumscribed. Burning for wildfire prevention should only be licensed in areas of high fire risk adjacent to public access, and not used to control large areas of heather, much of which is degraded blanket bog which should be rewetted and restored. Licences for conservation burning should be issued only in exceptional circumstances, in line with Natural England's recent advice, and those circumstances should be clearly defined and published alongside the Statutory Instrument implementing the ban.

Without these changes, the result of the limits on the ban would be that around 70% of upland peat in England is excluded from the ban from the word go. The result of the loopholes would be a further weakening which, at worst, could render the ban almost completely ineffective. Together, they mean that peat burning would continue at levels incompatible with the Government's leadership at COP-26 and its programme for ecological recovery.

As the Government has recognised, there is a clear consensus that burning is damaging to peatland formation and habitat condition. There is also strong public support for a ban, with recent polling showing 62% of people supported a ban and only 3% opposed it. A ban commensurate with real environmental ambition would be extended to all upland peat, with exemptions only for public safety and restoration in exceptional and clearly defined circumstances, in line with Natural England's current advice.

We hope you are able to revise the extent of the ban before legislation is laid in Parliament and publish clear definitions of the exceptional circumstances for any exemptions alongside the Statutory Instrument. A comprehensive upland burning ban should form a core component in a comprehensive peat strategy, including restoration of lowland peat and a ban on horticultural peat use. This would help to ensure that the damage to the "UK's rainforests" is finally stopped and the essential work of restoration can begin.

Yours sincerely

Beccy Speight, CEO, RSPB

Professor Rosie Hails, Director of Nature and Science, National Trust

Dr Mark Avery, co-founder, Wild Justice

John Sauven, CEO, Greenpeace

Joan Edwards, Director of Public Affairs and Marine Conservation, The Wildlife Trusts

Dr Jeremy Biggs, CEO, Freshwater Habitats Trust

Prof Alastair Driver FCIEEM, Director, Rewilding Britain

Julie Williams, CEO, Butterfly Conservation

Paul de Zylva, Friends of the Earth

Jill Nelson, CEO, People's Trust for Endangered Species

Andy Knott MBE, CEO, League Against Cruel Sports

Ian Dunn, CEO, Plantlife

David Balharry, CEO, John Muir Trust

Kate Ashbrook, General Secretary, Open Spaces Society

Paul Davies, Interim CEO, The British Mountaineering Council

Mary Rice, Executive Director, Environmental Investigation Agency

Anita Konrad, Chief Executive, Campaign for National Parks

Dr Richard Benwell, CEO, Wildlife & Countryside Link