

What's new for 2025?

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Introduction

From 1 January 2025 new requirements for peatlands and wetlands will be introduced under Good Agricultural and Environmental Condition (GAEC 6 - Maintenance of soil organic matter).

Scotland has around 2 million hectares of peatlands of which around three quarters (1.4 million hectares) are degraded as a result of agricultural improvements, afforestation, extraction and development. Degraded peatlands are a source of greenhouse gas (GHG) emissions and currently account for around 16% of Scottish annual net total. Peatlands in good condition not only play a vital role in storing carbon but they also provide unique habitats as well as mitigating the effects of climate change by maintaining the steady flow of water and reducing the flood risk.

Quick guide

(for more details including definitions and exemptions see full guidance below)

New peatlands and wetlands requirements

The new requirements are intended to protect peatlands and wetlands and limit further greenhouse gas emissions by prohibiting the following agricultural activities:

- reseeding
- new drainage or maintenance of existing drainage systems that causes peatlands or wetlands to dry out
- application of pesticides, fertilisers including manures, lime other soil conditioners
- creating new roads and tracks (include vehicle rutting exposing the soil)
- planting trees (either on peatlands or wetland or on sites where it would compromise the hydrology of adjacent peatlands or wetlands)
- activities that cause damage to the vegetation cover exposing the soil (e.g. excessive poaching/trampling by livestock due to high stocking rates or unsuitable supplementary feeding)
- **and additionally** for wetlands, carrying out activities which disrupt connections between rivers/water courses and wetlands that will cause wetlands to dry out

For land to be considered as peatlands two conditions have to be met; the soil has to have a peat thickness of at least 50cm and it has to be covered by semi-natural vegetation. Two conditions also have to be met for land to be considered as wetlands; the land has to be uncultivated & semi-natural and it has to be dominated by wetland plant species.

A 'Peatland Areas' layer has been added to LPIS viewer to give farmer/crofters a guide to whether they have any peatlands within their farm/croft boundary. The 'Peatland Areas' layer can be overlayed onto a farm/croft by:

- logging onto RP&S
- selecting 'Map' from the 'Location' menu
- clicking the 'DATA' tab on the top left of the screen
- expanding the 'Cross Compliance – Mapping layers' heading and
- clicking in the box beside the 'Peatland Areas' option.

The 'Peatland Areas' layer is based on information from the Scotland Soils website and although it's the best information currently available it's not definitive and can only serve as a guide. There is currently no equivalent dataset to create a 'Wetland Areas' layer but it will be looked at again as habitat mapping evolves.

Change to existing GAEC 6

Existing GAEC 6 aims to maintain soil organic matter levels by restricting ploughing on rough grazing or semi-natural. Cultivating rough grazing or semi-natural areas without first ploughing the land can result in the same damaging effect as ploughing. To provide enhanced protection, **cultivating will be added to**

the existing requirements alongside ploughing as a prohibited activity on rough grazing or semi-natural areas.

Peatlands and wetlands are subcategories of rough grazing or semi-natural Areas. The new requirements will be added to GAEC 6 by adopting a tiered structure; maintaining the existing requirements with the addition of 'cultivating' as the top tier and adding the new requirements for peatlands and wetlands as the second tier. The tiered approach is set out in full guidance below.

Frequently asked questions

A FAQ document will be added shortly.

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Full guidance

GAEC 6 - Maintenance of soil organic matter

The aim of these requirements is to maintain soil organic matter levels and limit further greenhouse gas (GHG) emissions.

The requirements cover:

- Rough Grazing or Semi-Natural Areas, Peatlands and Wetlands
- Muirburn
- Stubble Burning

Rough Grazing or Semi-Natural Areas, Peatlands and Wetlands

You must not:

- Plough or cultivate rough grazing or other semi-natural areas including peatlands and wetlands unless approved as part of an Environmental Impact Assessment (EIA)

In addition for areas that are **peatlands and wetlands** you **must not** carry out the following activities:

- reseedling
- new drainage or maintenance of existing drainage systems that causes peatlands or wetlands to dry out
- application of pesticides, fertilisers including manures, lime other soil conditioners
- creating new roads and tracks (include vehicle rutting exposing the soil)
- planting trees (either on peatlands or wetland or on sites where it would compromise the hydrology of adjacent peatlands or wetlands)
- activities that cause damage to the vegetation cover exposing the soil (e.g. excessive poaching/trampling by livestock due to high stocking rates or unsuitable supplementary feeding)
- **and additionally** for wetlands, you **must not** carry out activities which disrupt connections between rivers/water courses and wetlands that will cause wetlands to dry out

Note - these requirements also apply to carrying out any of the listed prohibited activities on land adjacent to peatlands and wetlands which will have the same consequences had the activity been carried out on the peatlands and wetlands e.g. cutting a large ditch on land adjacent to peatlands and wetlands would drain water away from peatlands or wetlands to the same extent had the ditch been cut on the peatlands or wetlands.

Muirburn (no change from 2024)

You must:

- comply with the requirements of the Muirburn Code as they relate to the maintenance of soil organic matter.

The following would be considered to be a breach of the requirements:

- leaving a fire unattended
- being unable to control a fire or having not made provision for its proper control
- causing damage to any woodland

Stubble Burning (no change from 2024)

You must not:

- burn arable stubble except for disease control or to eliminate plant pests

Further information including exemptions

The listed prohibited activities for peatlands and wetlands can be carried out if they are required as part of:

- a peatland restoration project
- the installation, alteration or replacement of wind turbines
- permitted development rights
- after prior written consent of the Scottish Ministers

Cutting peat for domestic use is not considered to be damaging activity under these requirements.

Spot applications of pesticides can be applied to control injurious weeds, invasive species and, after prior written consent of the Scottish Ministers and/or other statutory bodies, certain other weed species. If you are carrying out this exemption, please be aware of SEPA's requirements for applying pesticides in or near water.

Active, open drains that are only partly revegetated can be maintained however drains that have become closed and fully obstructed by vegetation cannot be cleared as this would cause peatlands or wetlands to dry out.

All trees planting should be done in line with UK Forestry Standards (UKFS) which is a technical standard for sustainable forest management in the UK. All the legal and good forestry practice requirements and relevant soil, water and habitat guidelines should be met. A copy of the [current UKFS \(5th edition\)](#) can be found on [gov.scot](#).

The EIA regulations restrict 'intensive' agricultural operations on uncultivated or semi-natural land, or large-scale restructuring projects on agricultural land, where the result would have a 'significant' impact on the environment. More detailed information can be found [here](#).

Permitted development rights allows certain developments to be carried out without the need for full planning permission. Please note some types of permitted development may require a screening opinion under the EIA regs. [More information about permitted development can be found at Farm Advisory Service](#).

Explanation of terms

'Rough grazing or other semi-natural areas' is land containing semi-natural vegetation including heathland, heather moorland, bog, unimproved grassland and rough grassland which is used or suitable for grazing.

'Peatlands' are areas where the soil has a peat thickness of at least 50cm and is covered by semi-natural vegetation consisting of sphagnum mosses, cotton grasses, heather, blaeberry, crowberry and cowberry. Uncovered bare areas in between these vegetation types are also peatlands. Please note - this includes peatlands in near-natural, drained, modified and actively eroding condition or where restoration has previously occurred.

A Peatland Areas layer has been added to LPIS viewer to provide an indication of whether there are areas of peatland within farm/croft boundaries. The peatland layer can be accessed by logging on to your RP&S account and can be overlayed on top of your farm/croft boundary. The peatland layer is based on the best information currently available however it can only be used as a guide. If there are any doubts either in terms of the peat depth or vegetative cover further checks will have to be carried out to establish whether your land falls under the definition of Peatlands.

'Wetlands' are areas of uncultivated and semi-natural land which can be either permanently covered or saturated with water or where the ground conditions are damp and poorly drained. The water can be fed from precipitation, groundwater (water seeping from a spring), from rivers or loch, or seawater. The vegetation is typically dominated by plants such as sedges, rushes, reed, purple moor grass, common saltmarsh grass or cotton grasses, along with a variety of wildflowers; for example, orchids, ragged robin, bogbean, marsh cinquefoil, meadowsweet and marsh marigold. Saltmarshes are a type of coastal wetland which is predominantly fed by sea water but also precipitation and ground water.

'EIA' relates to [The Agriculture, Land Drainage and Irrigation Projects \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)

'Permitted Development' relates to [The Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) . Schedule 1 Class 18 relates to agricultural land.

'Fertilisers' includes organic manure (livestock manure, sewage sludge, composted vegetable waste, etc.) and chemical fertiliser manufactured by an industrial process

'Pesticides' includes herbicides, fungicides, insecticides and other biocides.

'Soil Conditioners' means a substance utilised on land to improve its physical qualities including for the purpose of enhancing growth or vegetation.

'Injurious weeds' are species specified in the Weeds Act 1959: Spear Thistle (*Cirsium vulgare* (Savi) Ten), Creeping or Field thistle (*Cirsium arvense* (L.) Scop.), Curled dock (*Rumex crispus* L.), Broad-leaved dock (*Rumex obtusifolius* L.) and Common Ragwort (*Senecio jacobaea* L.).

'Invasive species' means giant Hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and rhododendron (*Rhododendron ponticum*).

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