

Citizen Participation and Public Petitions Committee

7th Meeting, 2023 (Session 6), Wednesday 3
May 2023

PE1945: Ban the extraction and use of peat for horticulture and all growing media by 2023

Petitioner	Elizabeth Otway
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to place a legal ban on the extraction of peat, peat imports, exports, and sales in order to protect peatlands both in Scotland and worldwide.
Webpage	https://petitions.parliament.scot/petitions/PE1945

Introduction

1. The Committee last considered this petition at its meeting on [26 October 2022](#). At that meeting, the Committee agreed to write to the Scottish Government and the Scottish Crofting Federation.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Scottish Government and the Scottish Crofting Federation which are set out at **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
7. The Scottish Government's consultation, [Ending the sale of peat in Scotland](#), launched on 17 February 2023 and will close on 12 May 2023.

Action

The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1945: Ban the extraction and use of peat for horticulture and all growing media by 2023

Petitioner

Elizabeth Otway

Date lodged

8 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to place a legal ban on the extraction of peat, peat imports, exports, and sales in order to protect peatlands both in Scotland and worldwide.

Previous action

I have emailed Mairi McAllan, Minister for Environment and Land Reform about this issue. Sandra Carey of the Peatlands and Land Quality Team in the Scottish Government replied but was unable to confirm that a ban on peat would go ahead.

Background information

Protecting peatlands are vital in addressing the climate and nature emergency. Peatlands store vast amounts of carbon, reduce flooding and support unique biodiversity. The Scottish Government's investment in peatland restoration is undermined by continued peat extraction and use of peat in horticulture. Decades of voluntary measures have failed. A legal ban on horticultural peat imports and sales is urgently needed. We welcome the Government's pledge to 'ban the sale of peat related gardening products' but ask that this is reinforced by a 2023 deadline. Peat-free compost materials include: green waste, coir, wood, wool, bracken, comfrey, manure. A ban on peat by 2023 will help Scotland benefit from the economic opportunities of sustainable industries.

The Government should immediately review all peat extraction licences. All growing media must be peat-free by the end of 2023, at the latest.

Annexe B

Extract from the Official Report of last consideration of PE1945 on 26th October 2022

The Convener: PE1945, which is on banning the extraction and use of peat in horticulture and all growing media by 2023, was lodged by Elizabeth Otway. The petition calls on the Scottish Parliament to urge the Scottish Government to place a legal ban on the extraction of peat and peat imports, exports and sales in order to protect peatlands in Scotland and worldwide.

Elizabeth Otway states that the Scottish Government's investment in peatland restoration is undermined by continued extraction and use of peat in horticulture. The call for a 2023 deadline is in line with the UK Climate Change Committee's recommendation to ban peat extraction, sales and imports by 2023.

The Scottish Parliament information centre briefing notes that the Scottish Government's commitment to phase out the use of horticultural peat has been made for several years. The UK Government aims to end the retail sale of peat and products containing peat in England and Wales by the end of the current UK Parliament, and by 2028 in the professional horticulture sector.

The Scottish Government's response indicates that a public consultation will be launched shortly to inform its work in relation to banning the sale of peat-related gardening products, and it has commissioned research on the issue. The Scottish Government states that it is committed to setting a timescale for phasing out peat and to introducing legislation to support that.

In view of that suggestion to us from the Scottish Government, do members have any comments or further suggestions?

David Torrance: We should keep the petition open and, in doing so, write to the Scottish Government to highlight the UK Climate Change Committee's recommendations to ban practices such as rotational burning on peatland by 2020 and to ban peat extraction, the sale of peat and peat imports by 2023. We should ask how feasible it would be to ban the extraction and use of peat by 2023; when the Scottish Government expects the delivery plan and timetable for phasing out horticultural peat to be developed and produced; when the public consultation will be launched; and how the petitioner can contribute to the consultation.

Fergus Ewing: I was not quite sure whether the petition was calling for restrictions beyond the use of peat for horticulture. From what David Torrance said, and the reference that he made, it would appear that the Climate Change Committee recommends going further than that and banning peat for burning. Given that we all know that the burning of peat is traditional in crofting counties as an essential means of heat and is a cultural practice that has gone on for centuries, I wonder whether any attempt to ban said practice would be met with horror and outright opposition, if not direct action, by crofters. We might write to the Scottish Crofting Federation to

seek its guidance on whom we should be consulting on the matter, because I suspect that it will become—to use a rather poor pun—a burning issue.

The Convener: I wondered which pun, from a range of poor puns, you were going to reach for there, Mr Ewing.

I am happy for us to do that. Are members content with that approach?

Members indicated agreement.

Annexe C

Scottish Government submission of 24 November 2022

PE1945/B: Ban the extraction and use of peat for horticulture and all growing media by 2023

- **How feasible it would be to ban the extraction and use of peat by 2023?**

In terms of **extraction**, our Revised Draft National Planning Framework 4 (NPF4), laid in the Scottish Parliament on 8 November 2022, makes clear that proposals for new commercial peat extraction, including extensions to existing sites, are not supported except in very limited circumstances, including where the extracted peat is supporting the Scottish whisky industry and there is no reasonable substitute, and where other relevant and applicable criteria are met including on site restoration. The preparation of NPF4 has been the result of an ambitious and extensive process of consultation and collaboration, with 3 separate rounds of engagement, beginning almost 3 years ago. We have listened carefully to our stakeholders and are proud to present a national spatial strategy that is a product of extensive engagement and collaboration. Should Parliament approve NPF4, Scottish Ministers would move swiftly to adoption to allow us to progress onto implementation and delivery.

Since announcing our intention to ban the **sale** of peat-related gardening products, in September 2021 (2021-22 Programme for Government), we have been working with industry to understand exactly where transitional issues lie and will soon launch a consultation that will provide the information we need to put a workable and ambitious plan in place to remove peat from Scottish horticulture. We have also undertaken and commissioned impact assessments to help shape our policies to minimise impact on the environment and on the horticulture industry, which, in itself, is vital for our environment, economy, food supply and wellbeing. In addition, we have engaged with UK Government and devolved administrations in relation to the UK Internal Market Act and its potential impact on effective implementation of policy.

Completing these necessary steps means that it will not be possible to implement a sales ban by 2023. Consultation responses and

stakeholder discussions will inform our timescales and we intend to put a ban in place as quickly as is feasible.

With encouragement from Scottish Government and other UK administrations, the UK horticulture industry is already transitioning – peat's share of the retail sector has declined over the past decade from 58% of growing media used by the UK public in 2011 to 30% in 2021 and we will continue to liaise with industry to ensure a swift removal of peat from horticulture, culminating in a sales ban.

- **When the Scottish Government expects the delivery plan and timetable for phasing out horticultural peat to be developed and produced**

We will develop a delivery plan and timetable for phasing out horticultural peat following analysis of consultation responses and discussions with industry and environmental NGOs.

- **When the public consultation on the ban of peat-related gardening products will launch**

We expect to launch the consultation in December 2022.

- **How the petitioner can contribute to the consultation**

We would encourage the petitioner to contribute to the consultation, which will be launched on Scottish Government Citizen Space Consultation Hub (consult.gov.scot). They can also email horticultural.peat@gov.scot.

Scottish Crofting Federation submission of 16 November 2022

PE1945/C: Ban the extraction of peat for horticulture and all growing media by 2023

Thank you for your invitation to respond to the petition PE1945: Ban the extraction and use of peat for horticulture and all growing media by 2023.

The Scottish Crofting Federation (SCF) is the only organisation in Scotland dedicated to protecting and promoting the interests of crofters and the crofting community. The citizens petition calls for a legal ban on horticultural peat imports and sales and SCF agrees with petitioners' key asks to constitute a ban of peat for horticulture (imports and sales). Yet, the petition itself is more broadly formulated to cover "the extraction of peat, peat imports, exports, and sales" in general.

We call upon Scottish Parliament to ensure that if a legal ban on the use of peat is imposed, that such action is restricted to horticultural sales and imports and commercial extraction of peat for burning. Traditional rights of crofters to extract peat at small scale and for personal use must be safeguarded.