

Maintenance of soil organic matter (GAEC 6)

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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:

- 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, 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

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

You must not:

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

Further information

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. [Read the current UKFS \(5th edition\)](#).

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 on the EIA page](#).

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 detailed information can be found on the Farm Advisory Service website](#).

You can read more about the requirements in our [frequently asked questions](#).

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, blueberry, 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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