

Guidance on Schedule 7, paragraphs 32-33 of the Coronavirus (Scotland) Bill - Muirburn

Overview

- The Coronavirus (Scotland) Bill has the effect of ending the current muirburn season earlier than its scheduled date of 15 April.
- The suspension of the muirburn season is in place for the relevant period that the Coronavirus (Scotland) Bill is in force. The Bill will initially be in force for six months.
- This means that muirburn is suspended until at least the end of September 2020.

Muirburn

- Muirburn is the controlled burning of heather, gorse bushes and grasslands as a land management tool.
- Muirburn is not an activity that can be considered essential to the economy in the current emergency.
- Furthermore, although the risk of wildfire from muirburn is low, it places a small additional risk that our emergency services may be called upon, unnecessarily, to deal with out of control or unintended fires or to treat those that may be injured by such fires.

Legal Mechanism

- Schedule 7, paragraphs 32-33 of the Coronavirus (Scotland) Bill suspends the muirburn season, as set out in section 23 of the Hill Farming Act 1946, which usually runs from the 1st October until the 15th April.
- It suspends the muirburn season for the relevant period in which paragraph 33B of the Coronavirus (Scotland) Bill, which modifies section 23 of the Hill Farming Act 1946, is in force. At present, this means until at least the end of September 2020.