

Environment, Planning and Countryside Committee

EPC(2) 07-06 (p9)

Date: 11 May 2006

Venue: Committee Room 1, Senned

Title: Code of Practice to Prevent and Control the Spread of Ragwort

Purpose

1. The EPC Committee has identified the Code of Practice to Prevent and Control the Spread of Ragwort as requiring scrutiny. Enclosed is a draft Code for Committee consideration.
2. Once EPC Committee has agreed the text, the Code will be tabled and taken forward using Standing Order 29.3 procedures.

Summary/Recommendations

3. The Committee identified the Code of Practice to Prevent and Control the spread of Ragwort for scrutiny on 1 February 2006. Committee is asked to scrutinise the Code at the 11 May 2006 meeting and to note that, subject to Standing Order procedures, it is timetabled to come into force on 14 June 2006. Final versions of the code will be freely available in Welsh and English.

Background

4. Common ragwort (*Senecio jacobaea*) is one of five injurious weeds specified in the Weeds Act 1959 – the others being creeping or field thistle, spear thistle, curled dock and broad-leaved dock. Under the Act, the National Assembly for Wales can take action to prevent the spread of injurious weeds.
5. Ragwort is highly toxic to grazing animals, whether they graze ragwort infested pastures or consume ragwort in feed (dried grass) or forage (hay, haylage and silage). Horses are particularly susceptible to poisoning by ragwort. The Code aims to control the spread of ragwort and therefore help prevent the death of horses and livestock grazing ragwort infested land and from eating ragwort contaminated feed and forage.
6. Any action to control the spread of ragwort should have due regard to environmental impacts of the control methods and the need to protect the countryside and maintain biodiversity.

7. The Code is a practical guide to help public bodies, relevant authorities, owners and occupiers of land control the spread of common ragwort only. It is not the intention of the Code to seek to eliminate common ragwort, nor to seek to control the spread of ragwort where it does not pose a threat to the health and welfare of animals, the production of feed or forage or other agricultural activities.

8. The Code provides a summary of the legislation controlling ragwort and provides guidance on what steps are considered to be reasonable to prevent the spread of ragwort when a notice has been issued by the National Assembly for Wales under Section 1 of the Weeds Act 1959. Under the Act, the Minister for Environment, Planning and Countryside has a permissive power to serve a notice on an occupier of any land on which one of the five injurious weeds is growing, requiring the occupier to take action to prevent the weeds from spreading. The Act permits officials to enter land to inspect whether an enforcement notice has been complied with. If an occupier has unreasonably failed to comply with the notice, he or she shall be guilty of an offence and on conviction liable to a fine. The Code has legal effect in that it is admissible in evidence and will be taken into account on any question arising in proceedings to which the court thinks it relevant.

9. The Code will also strengthen enforcement and assist the Welsh Assembly Government by making it clear what is considered reasonable action to comply with an enforcement action, served under the Weeds Act 1959.

10. A summary of consultation responses to the draft Code is at Annex 2.

Human and Animal Health

11. The toxic chemicals in ragwort are called pyrrolizidine alkaloids. These are a large group of natural toxicants that occur in some plants including ragwort. Pyrrolizidine alkaloids have been shown to cause liver damage and liver cancer in experimental animals and chronic liver damage in humans.

Financial Implications

12. There may be some short-term cost implications while landowners and occupiers put in place measures to develop a strategic approach to weed control. These should not be significant and, in the longer term, when control programmes become more effective, overall costs are expected to remain largely at existing levels. By clarifying best practice, the Code will assist land managers by making clear what is expected of them regarding effective weed control. Any costs associated with the publication of the Code will be met from existing Plant Health and Biotechnology Branch budgets. It is expected that the revised procedures will ensure that existing landowners' and occupiers' resources are directed more effectively.

Action for Subject Committee

13. To scrutinise and agree the final text for the Code of Practice to Prevent and Control the Spread of Ragwort.

Carwyn Jones AM

Minister for Environment, Planning and Countryside

Contact Point: Martin Williams, Plant Health and Biotechnology Branch, Food and Market Development Division – 029 2082 3452