



British Ecological Society



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Ragwort Control Act: Consultation on the draft Code of Practice to Prevent the Spread of Ragwort

Response from Wildlife & Countryside Link

June 2004



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Wildlife and
Countryside



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INTRODUCTION

Wildlife and Countryside Link (Link) brings together voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management and food production and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together, our members have the support of around 7 million people in the UK and manage an area of land equivalent to the county of Hampshire. This statement is supported by the British Ecological Society, Butterfly Conservation, Buglife - the Invertebrate Conservation Trust, the Herpetological Conservation Trust, Plantlife International, the Wildlife Trusts, and the Woodland Trust.

Link members are grateful to have been able to help develop the draft Code of Practice to Prevent the Spread of Ragwort through the Steering Group and feel that now, together with the further changes being suggested, it will be better placed to offer the balanced guidance this difficult matter needs.

Overall we find that the Code now places a more appropriate emphasis on the actual degree of risk of livestock poisoning presented by the plant growing on any particular area of land. Highlighting the additional considerations to be addressed when assessing control measures is also a welcome improvement. We nevertheless feel that further changes can improve aspects of this important guidance as concerns remain about how the Code might be interpreted by land managers and those seeking the complete removal of ragwort from the countryside. Our particular concerns involve:

- The scope for land owners/managers to 'defend' the controlled presence of ragwort on grazed grasslands.
- How to ensure the plant is not extirpated from non-agricultural sites such as road and rail verges when it is clearly such a valuable resource for wildlife in our now degraded countryside.
- How to make sure that where threatened biodiversity (of Red Data Book, Nationally Scarce and UK BAP status) is reliant on the plant it can actually be safeguarded.

These points are detailed further below along with our answers to your questions. Suggested changes to the text of both the Environmental Appraisal and the Code that are being made by various Link member organisations are in support of these points and objectives.

1. General and specific comments

Risk assessment and actual effects of ingestion

The distance basis to the assessment of risk is a pragmatic approach to a complex situation. However we feel that further qualifications are needed and the distances themselves should be halved so as to emphasise that the particular circumstances of any given case can also be relied on to assess the actual level of risk.

The distance based approach helps make the point that the Weeds Act is essentially concerned with controlling spread of the plant to other land than it is already on, and the Code then elaborates the reason for the requirement by linking it to the risk of ingestion by vulnerable stock. However, the distance-based approach still carries the over-riding implication that any 'exposure' carries the same inherent risk to grazing animals and we feel the code must redress this.

It is useful to note the implications of the forthcoming Animal Welfare Bill as this raises the important matter of clearly defining both the actual, and possible, consequences of ragwort ingestion. This point is fundamental to the pragmatic approach to risk assessment we are advocating.

Whilst lethal damage to the liver is acknowledged to be cumulative and in most instances probably requires many years of exposure, sub-lethal symptoms including any 'tolerance', are not clearly understood or verifiable without a means of testing live animals. Therefore, the Code needs to define or better explain 'poisoning', - as it is presumably not simply the ingestion of *any* ragwort but ingestion of *enough* to present health problems. Slight revision of certain sections should help address this by making sure that the reader is aware that the actual risk of poisoning (i.e. debilitating symptoms or death) is dependant on more factors than simply proximity of the plant to relevant categories of land. Appendix 2 could include a section explaining briefly how the plant's alkaloids cause their damage, the approximate quantities relative to body weight that need to be consumed over time to result in 'poisoning' and the other plants that also contain such natural defence mechanisms. The likelihood of grazing animals suffering adverse affects due to ragwort ingestion should also be put in the context of the more common or frequent welfare problems that arise. This could be given in Appendix 2 along with an assessment in the Environmental Appraisal.

The section on '*action to be taken by livestock owners*' should point out that not all animals are equally susceptible or inclined to eat growing ragwort, and that equines are most vulnerable for reasons that could be explained in Appendix 2. Being able to take account of these differences, and the important point about knowing the likelihood of one's animals ingesting the plant on any given site, should be given as factors assisting the determination of the actual risk level suggested by the distance criteria. It needs to be explicit that under certain circumstances it is acceptable to have both grazing stock and ragwort on a site even if that automatically puts it in the technically 'high risk' category. At the moment this sort of situation is only indirectly alluded to.

Biodiversity impacts

The biodiversity considerations and constraints are now more comprehensively addressed, but there are still key omissions, in particular reference to the general need to safeguard biodiversity as a matter of course, and as a priority for some species.

The approach in Appendix 4 of identifying various categories of land is an essential guide to determining appropriate approaches to control on such sites, and the definitions of the categories should be as inclusive as possible to ensure that appropriate sites are not missed out.

The message that biodiversity impacts should be considered whenever possible must also be highlighted in relevant parts of the code's main text. Some brief additional guidance will help landowners/managers to undertake a risk assessment.

Enforcement

As stated above we feel that overall, the Code now provides better guidance on this difficult matter, but nevertheless it can be further refined to ensure sound decision making by land managers and clarity on compliance where there is no intention or need to eradicate ragwort.

In our response we have been making the point that the actual threat to livestock, which qualifies the 'risk' associated with any ragwort presence or spread, can be dependant on other factors than just distance. We therefore feel that the clause on enforcement needs to reflect this level of subjectivity and state that Defra will take enforcement steps where they consider that the code has not been implemented, resulting in ragwort spreading to where it clearly presents a high level of risk to livestock welfare. The key point for enforcement must surely be the evidence of spread due to lack of control measures that are appropriate to the circumstances.

2. Consultation letter questions:

In response to the specific questions:

a) *The draft Code of Practice issued in July 2003 was criticised for being too long and repetitive. Is the revised Code a more manageable document?*
Yes.

b) *Is the Code clear on when it is necessary to take action to control ragwort?*
Our comments above indicate that we feel more clarity can be achieved.

c) *Are the distances specified in the risk categories reasonable bearing in mind the need to protect both the environment and animal welfare?*
We feel they can be reduced by 50% without compromising animal welfare and thus saving the unnecessary additional costs and biodiversity impacts of excessive control.

d) *Is the information on the various options for control sufficiently comprehensive?*
There are still some gaps. The start box in the decision tree in Figure 1 (Appendix 3) must refer to 'biodiversity considerations' as well as designations. While the approach to the issue using land categories is good, additional guidance is still needed to help assess impacts on biodiversity. The need to favour mechanical means over chemical wherever possible could also be made clearer.

e) *Does the draft environmental appraisal explain clearly enough the objectives of the Code?*
The objectives and assessments presented would benefit from further clarification and detail. Some of the key statements in the EA which should also be in the Code are:

"Control is only recommended in those circumstances where there is a specific threat to animal welfare."

and

"The Code should ensure that the most appropriate methods of control are used on environmentally sensitive categories of land and thus prevent damage to non-target species, other wildlife and natural habitats."

- f) *Does the draft environmental appraisal present a balanced argument between the interests of animal welfare and the environment, and is the balance reflected in the Code of Practice?*

The EA seeks to balance them but requires some further detail, as suggested above, on the likelihood of actual poisoning and the context with other welfare issues. The Code will be better balanced when these details and the likely biodiversity impacts of the various control methods are clarified.