

Plant Protection Products (Prohibition on Public Sector Use) Bill

[AS INTRODUCED]

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TO

Provide for the prohibition of the use of professional plant protection products by local authorities and other public authorities for amenity purposes; to require the Secretary of State to publish guidance in connection with that prohibition; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Prohibition on the use of professional plant protection products for amenity purposes

- (1) A local authority in England must not use professional plant protection products for amenity purposes on land under local authority control after 31 December 2028. 5
- (2) Professional plant protection products must not be used by any other public authority in England for amenity purposes on land under public authority control after 31 December 2031.
- (3) The prohibitions under subsections (1) and (2) above do not apply to the use of plant protection products which are necessary to prevent a serious risk to public health, public safety or public infrastructure or to prevent a serious risk to the environment caused by the spread of invasive species or other harmful organisms. 10

2 Publication of guidance

Within 6 months of the passing of this Act, the Secretary of State must publish guidance to assist local authorities and other public authorities in complying with the prohibitions under section 1 of this Act. 15

3 Offences

- (1) A person commits an offence if, without reasonable excuse, the person fails to comply with the prohibitions in section 1(1) or (2). 20
- (2) A person who is guilty of an offence under this section is liable, either on summary conviction or on conviction on indictment, to a fine.

- (3) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.
- (4) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge. 5
- (5) But no such proceedings may be brought more than three years –
- (a) after the commission of the offence, or
 - (b) in the case of a continuous contravention, after the last date on which the offence was committed. 10

4 Interpretation

In this Act–

- “agriculture” has the same meaning as in Regulation 2 of the Plant Protection Products (Sustainable Use) Regulations 2012;
- “amenity purpose” means any use other than use for agriculture, forestry or private domestic use; 15
- “forestry” means the management for commercial purposes of land predominantly covered in trees whether in large tracts or smaller areas including forests, woods, woodland, copses, spinneys or shelterbelts;
- “harmful organisms” has the same meaning as in Article 3 of Regulation (EC) No. 1107/2009 of the European Parliament and of the Council of 21st October 2009; 20
- “land under local authority control” means any land that is managed or maintained by a local authority or by agents, contractors or third parties acting on its behalf. “Land under public authority control” is to be construed accordingly; 25
- “local authority” has the same meaning as in Section 1(1)(a) of the Local Government Act 2000;
- “plant protection products” has the same meaning as in Article 2(1) of Regulation (EC) No. 1107/2009 of the European Parliament and of the Council of 21st October 2009; 30
- “professional” means intended for use by a trained or certified person;
- “public authority” means a person carrying out any function of a public nature.

5 Extent, commencement and short title 35

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Plant Protection Products (Prohibition on Public Sector Use) Act 2025.

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Presented by Siân Berry

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