

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

15 AUGUST 2019

MEMBER'S ITEM: USE OF HERBICIDES

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Summary

This report sets out a response to an issue, raised by Councillor Curry, concerning the use of herbicides to clear vegetation.

1. Budget and Policy Framework

1.1 Under Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5, Paragraph 9.1) Councillor Curry has requested that an item on this matter is included on the agenda for this meeting.

2. The Issue

2.1. Councillor Curry has requested that an item be placed on the agenda and the reasons are set out below.

Introduction

This item is in many respects a challenge to the Council. Are we really serious about how we tackle the problems of environmental damage in Medway?

We recently declared war on climate change. I have spoken personally with many of you and found a unified, cross-party view that we must do everything we can to protect our environment.

What does this mean to us as a Council and our responsibilities for the care of our community? We know that there are basic, every day activities which cause damage to our environment. We need to travel, we produce rubbish

every day and we are keen to regenerate our communities. All these activities have an environmental impact.

However, we now know that the consequences of this. It affects our health and wellbeing, our economy and contributes to global warming that is already fundamentally changing our way of life into the future.

The Value of our Greenspaces

Our parks and open spaces are a fundamental part of our local environment and as a community, we understand their value – cleaner air, increased biodiversity, economic benefits, health and wellbeing both physical and mental for us all.

We are currently developing our strategic planning based around our green and blue infrastructure. Our volunteer groups are now working on an urban forest project that will bring national recognition for Medway.

The value of our greenspaces has been researched in detail.

We know that they are;

- Good for the Economy - A report in 2009 for Merseyside has shown that every £1 invested in the urban greenspaces has generated £9.20 for the local economy (source Gov.uk)
- Good for the Environment – loss of biodiversity, damage to habitats and pollution of our environment across the world is a serious problem. By managing our urban areas for landscape and wildlife we can make a difference.
- Good for the people – public health, both mental and physical, for the young, the old and everyone in between, is linked closely to the quality of our environment.

In so many ways the case for improving our environment at all levels has now been made.

The Use of Herbicides

The control of vegetation in urban areas is done for three reasons;

- Access to public areas for sport and recreation
- Sight lines on public highways

..... both of which are clearly important.

- The third reason is tidiness.

This begs the question; how tidy do we want to be and at what cost both financially and in environmental terms do we want to keep things tidy!

The herbicides used on our parks and open spaces are glyphosate based. For example, Roundup is one of the most commonly used glyphosate based herbicides. As a means of weed control these chemicals have been used for over forty years and there have been numerous studies looking at their impact upon human health and the environment. To date we have not been told of any obvious evidence that these chemicals have any adverse effects.

However, in August last year a school caretaker in the USA won huge damages against one manufacturer claiming that glyphosate had caused his cancer.

A newspaper article at the time reported that:

“During the lengthy trial, the plaintiff’s attorneys brought forward internal emails from executives that they said demonstrated how the corporation repeatedly ignored experts’ warnings, sought favourable scientific analyses and helped to “ghost write” research that encouraged continued usage.”

Clearly there are concerns about how glyphosate affects our own health and the health of our environment. We should not forget that it is not long ago that cigarette companies were denying the health effects of their products and we once thought DDT was safe!

To say that glyphosate based herbicides do not damage the environment is patently wrong as they are a poison for plants. To say that they may not harm people and other animals is tempting fate as the court cases in America demonstrate.

We need to consider how effective they are in the places where they are used. Is it worth our while using them?

A sprayed area quickly dies off and the vegetation turns brown and unsightly, whether along a path edge or around the base of a post, or as in many case around the base of a tree. This dead vegetation is not removed and as the species of plants targeted by the sprays are robust and seed easily they quickly return so that any perceived “benefits” of the spraying only last a couple of weeks.

Recently, I spent some time visiting our town centres and found significant growth of “weeds” in all but Rochester High Street despite liberal use of herbicides. Also, during one visit to the Dickens garden close to Eastgate House herbicide was being sprayed on the beds close to the new café. We are taking unnecessary chances with the use of chemicals in our parks and gardens.

Let us not forget that these “benefits” are purely in the interests of tidiness!

The benefits of not spraying

In the areas where we need to clear vegetation, namely site lines and sports grassland we almost never use any kind of herbicide treatment. Cutting with mowers and trimmers is much more effective. Spraying is primarily carried out along path edges, pavements and around posts. It has also been used extensively around trees which seems counterproductive ... do I need to point out that trees are plants and we don't want to kill them.

If we were not to spray then we have three choices;

- Strimming – around posts, and along path edges followed by sweeping up the arisings to leave everything tidy. There are two problems with this. Firstly, the length of time staff are using the trimmers, called trigger time, which is controlled by regulation in order to protect the staff for health and safety reasons. Secondly, trimmers burn fuel which damages the environment.
- Hand weeding – this ensures we are “weed” free and may well have health benefits for staff as the work can be strenuous! The downside is that hand weeding can be more time consuming and therefore costlier in staff time; although there are no chemical or fuel costs.
- Do nothing – allowing the “weeds” to grow is clearly the most cost effective and environmentally friendly option.

With respect to strimming and trigger time this is often cited as the main reason to use chemical controls. In fact, if trimmer time is a problem for the health and safety of the operator then you can simply stop doing it for a while. The weeds will come back we shall be a little less tidy and the bees will benefit! Equally, as we are now seeing in the USA the health of workers is being affected by the chemical sprays.

To be realistic there will always be the desire to keep parts of our streets and parks neat and tidy, but this should not be the reason to use herbicides. A balance between doing nothing and hand weeding should be sufficient.

Finally, there is a clear and unarguable benefit of not spraying. We are not taking any chances with our own health, the health of the Norse staff, or the health of our environment. Weeds are simply wildflowers in the wrong place. They are needed by the insects, especially the bees and butterflies which have become so scarce, which in turn are food for our urban birds and mammals.

By not using herbicides, we are fulfilling our commitment to protecting biodiversity and avoiding damage to our environment.

Proposal

That Medway Council renegotiates the grounds maintenance contract it currently has with Norse and removes any use of herbicides.

- 2.2 At the request of Councillor Curry, Ms R Noxon will be in attendance at the meeting to address the committee.

3 Director's comments

- 3.1 Each year the Council undertakes planting to help improve the environment, attract bees and in the last winter months planted 100,000 crocus bulbs around Medway. We have worked successfully with Kent Wildlife Trust for many years in numerous ecology projects around Medway and created 1000's of sqm of wild flower and natural grass for wildlife. We are currently working with partners, such as Plant Life and Kent Wildlife Trust to develop projects, such as mini meadows on highway verges, that will enhance the biodiversity across Medway.
- 3.2 Medway Council like most local authorities undertake spraying of assets, tree bases and fence/wall lines tackle grass growth around features and asset, and not to treat weeds. It is also a way of reducing the risk of damage by strimming to the asset and reduction of stones being flicked up that pose a risk to passing pedestrians, cars and windows. Most importantly we take the health and safety of staff very seriously and, as per the Health and Safety Executive guidelines, we have a duty to undertake measures to reduce the risk to staff who use trimmers from Hand Arm Vibration.
- 3.3 Officers regularly review any chemical spraying in line with regulations and safety guidelines, and keep a close eye on any other techniques available, to ensure that the Council is working safely, compliant with regulations and ensuring best practice.
- 3.4 Currently a glyphosate based weed killer, approved for use in public areas, is used across Medway. This is absorbed into the plant and kills both the green leaves and roots of the plants. This chemical is absorbed through the green leaves, kills only the plant and is neutralised on contact with the soil. Glyphosate, when applied in the diluted form as used by the Council, has an extremely low toxicity to animals and poses minimal risk to humans or pets who may accidentally come into contact with the substance.
- 3.5 The Council has received less than 20 complaints regarding chemical usage in 2019.
- 3.6 The use of chemical herbicides is carefully controlled by the Department for Environment, Food and Rural Affairs (DEFRA). All commercially available chemicals have been subject to rigorous testing and approved for sale.
- 3.7 The Regeneration, Culture and Environment Overview and Scrutiny Committee does not have the power to agree that the Council negotiates its grounds maintenance contract with Norse and therefore if it wishes to make any recommendations along these lines, this will need to be a recommendation to Cabinet.

4 Risk Management

4.1 The following table details the risks associated with the various methods proposed in the above report by Cllr Curry:

Proposal	Risk	Mitigation	Rating
Hand pull weeds	<p>Increased costs as significantly more resources are needed</p> <p>Reduction in performance /efficiency</p> <p>Increased risk of back related injuries from repeated bending and twisting actions.</p> <p>Higher level of complaints about long grass around assets as work will be significantly slower</p>	Increase work force and rotate staff on different duties.	D3
Use of strimmers around assets	<p>Increase risk of exposure to Hand Arm Vibration Syndrome (HAVS) and Carpal Tunnel Syndrome (CTS)</p> <p>Medway Norse at risk for significant personal injury claims and reputational harm to both companies.</p> <p>Increased costs as more staff needed to complete same tasks (see section 5 below)</p>	Staff rotate tasks to reduce exposure time	C2

Leave grass as is around assets - long grass	Increased risk of public criticism of poorer standards of grass amenity Reputational harm for both the Council and Medway Norse.	Promotion about leaving areas to nature to promote wildlife	C4
Use herbicides	Reputational relating to risk perceived risk to human and animal health. Negative impact of herbicides on insect population	Ensure usage is kept to a minimum and only used judiciously. Ensure regular review of best practice is undertaken. Ensure regular review of alternatives is undertaken.	D3

5. Financial and Legal Implications

5.1 Financial implications

5.1.1 A high level review of costs/saving has been undertaken. This would require more detailed work if any of these recommendations were to be taken forward to Cabinet:

- Stop weed spraying, leave asset alone and have long grass: £6,000 saving. This is the current approximate cost of chemical usage. It does not include staff costs, as these are staff redeployed from horticultural teams in spring.
- Hand pull weeds: £185,040 (approx. 12 staff part time) – this is for key peak periods of April to July – this is estimated as the delivery of this volume by hand is unknown.

This estimate is based on delivery by hand of:

- 182,000 sqm of shrubs
- 23,000 sqm of hard surfaces
- 438 kilometres of grass highway verges with assets

- **Strimming assets: £95,000**
Currently grass cutting is undertaken with 12 x 2 man teams, to maintain the current contract standards. To adopt mechanical asset maintenance (strimming) this team size needs to increase to 3 for at least 6 out of the 12 teams. This may result in reduced grass cutting standards (i.e. cut less frequently). There is also a financial, unquantifiable risk, if a personal injury claim is subsequently made by staff exposed to Hard Arm Vibration. There would still be a need to continue to spray or hand pull weeds from shrub beds as this cannot be done by strimming.

5.1.2 Any change in practice that leads to increased costs will need to be offset by a reduction in service in another area unless additional funds are made available.

5.2 Legal implications

5.2.1 The HSE has produced a guide to hand arm vibration at work. If these recommendations are not adhered to and subsequently a claim is put in for HAVS, the authority may be at risk of a successful legal challenge.

5.2.2 If a change in practice is to be implemented, this can legally be negotiated with Medway Norse (as long as we do not go against HSE guidance) as part of the partnership arrangements.

6. Recommendations

6.1 It is recommended that an alternative to spraying in parks, play area fence lines and other features and tree bases is not taken forward at this time.

6.2 However as an alternative, the Committee could recommend that support be given to the mini meadows project proposed for the highway verges and in parks, where the Council will be working with Plant Life and Kent Wildlife Trust to continue to increase and enhance our biodiversity of plants and wildlife around Medway.

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Appendices:

None

Background Papers

None