

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

5 DECEMBER 2019

MEMBER'S ITEM:

USE OF HERBICIDES ON GREEN SPACE ASSETS

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Summary

A report to review the use of herbicides on green space assets and alternatives that are available.

1. Budget and Policy Framework

- 1.1 The Regeneration, Culture and Environment Overview and Scrutiny Committee at its meeting on 15 August 2019 asked officers to review the policy on herbicides usage. If this policy were to change, then recommendations would need to be put to Cabinet, as there will likely be budget implications that are beyond the current budget threshold.

2. Background

- 2.1 At the Regeneration, Culture and Environment Overview and Scrutiny Committee on 15 August 2019 concerns were raised about the safe use of these chemicals to animals (especially dogs) and children in parks and play areas and around tree bases.
- 2.2 The Green Space service agreed to come back to this Committee with:
- The experiences of other local authorities that have ceased to use herbicides for weed control.
 - Documentary evidence as to the potential harm of continued use of herbicides for weed control.
 - Details of any policy changes which may be required should the Council cease using herbicides to control weed growth.
 - Full information on the financial and legal implications of any decision by the Council to cease to use herbicides for weed control to enable the Committee to make an informed recommendation to Cabinet for consideration before the spraying season commences in March/April 2020.

- 2.3 Medway Council, like many local authorities, undertake spraying of assets, tree bases and fence/wall lines in parks and play areas as a way of reducing the risk of damage from strimming to tree bases, from stones being flicked up damaging windows and posing a risk to passing pedestrians.
- 2.4 Medway has a duty to prevent spread of certain harmful weeds as per the Weeds Act 1995 and to stop invasive non-native plants spreading as per DEFRA Guidance, as detailed in Appendix 1.

3. Options

- 3.1 **Option 1: No Change (Glyphosate)** – continue the use of herbicides as per current policy, spraying around assets and tree bases once per year and controlling invasive and harmful weeds/plant species as per our legal duty as land owners.
- 3.2 **Option 2: Integrated Approach – mix of bio and non bio chemicals** – Adopt an integrated approach using non-biochemicals (new bio product made of vegetable oil and vinegar) in parks and/or play areas. This has been shown to be effective, but will still leave a visible spray line on assets (see Appendix 5) and have a cost implications.
- 3.3 **Option 3: Non-biochemical** – Remove the use of biological chemicals in all parks and greenspaces, (with the exception of sports pitches, as these are needed to eradicate pests and diseases and ensure the standards of the greens are a playable surface) using non bio chemicals in greenspaces / parks only. This will still leave a visible spray line on assets (see Appendix 5) and have cost implications. The exception will be to treat invasive and harmful weeds/plant species as per our legal duty as landowners. This will have a cost implication.
- 3.4 **Option 4: Return to strimming around assets and tree bases.** The exception will be to treat invasive and harmful weeds/plant species as per our legal duty as landowners. Each strimmer creates 11kg Co2 per day and over the year would create an additional 2,376 kg and this equates to just over ½ of what a car produces each year. There is a need to be mindful of the HSE guidance on hand arm vibration (HAV) (see Appendix 3). This will have a cost implication.
- 3.5 **Option 5: Hand pull weeds and do not spray or remove grass around any assets.** The exception will be to treat invasive and harmful weeds/plant species as per our legal duty as landowners. This will have a cost implication.

4. Advice and analysis

- 4.1 Seeking advice from industry specialists, the current view of the UK Government body and HSE is that the use of glyphosate, when used as instructed, is safe.
- 4.2 Appendix 2 details the EU and HSE current advice on use of glyphosate.
- 4.3 There is currently no hard and fast information on the implications for our own health on the use of glyphosate. However, there are increasing concerns over

its potential harm and conflicting statements from the international bodies responsible for regulating its use.

- 4.4 Many environmental bodies are of the opinion that the use of glyphosate products could be contributing to the decline in biodiversity and that we should be taking the precautionary approach and limiting its usage.
- 4.5 The products used are sprayed in a diluted form, as per COSHH guidance, absorbed into the plant and kills both the green leaves and roots of the weeds. This chemical is absorbed through the green leaves, kills only the plant and is neutralised on contact with the soil. It is then broken down by soil bacteria into harmless natural substances.
- 4.6 The Agriculture Industries Confederation, made the following observations. *Glyphosate's classification, by the RAC and ECHA is based on the intrinsic properties of glyphosate. As with any hazard, the risk to either human health or the environment can be reduced by mitigation measures such as only using the product when necessary, using the lowest dose required and ensuring that those who use the product are professionally trained and certificated. All of these measures are in place in the UK and other Member States to ensure that pesticides are used responsibly.*
- 4.7 When these chemicals applied in correct dosages, they have been shown to be safe; as required to be awarded UK Government approval. The Safety Data Sheets do not indicate there is a risk of harm to people or animals if used in correct doses (see Appendix 4).
- 4.8 Visual impact testing has also been undertaken and has shown that the use of bio products has the same visual impact around assets as glyphosate products (see Appendix 5)
- 4.9 In 2014 Foamstream was tested in Medway, the results of which are detailed in Appendix 6.
- 4.10 Additionally a review has been undertaken of other local authorities' approach to this issue and this is detailed in Appendix 7.
- 4.11 There is the wider risk implications within the Highway, other parties in the Medway jurisdiction, such schools, business parks, private estate managers (MHS). The control, cost and financial burden would be equally impacted across these and other areas.
- 4.12 Taking all of this into account, as there are conflicting opinions on the use of glyphosate and public perception of possible harm, it is recommended to take forward option 2 - a mixed approach - and cease the use of glyphosate in children's play areas only where it is more likely to come into direct contact with young people. This would be a matter for Cabinet to consider and determine, following a recommendation from this Committee.

5. Risk management

5.1 The following table details the risks associated with the various methods proposed

Proposal	Risk	Mitigation	Rating
Option 1: Use herbicides	<p>Reputational relating perceived risk to human and animal health.</p> <p>Negative impact of herbicides on insect population.</p>	<p>Ensure usage is kept to a minimum and only used judiciously.</p> <p>Ensure regular review of best practice is undertaken.</p> <p>Ensure regular review of alternatives is undertaken.</p>	DIII
Option 2: Integrated Approach – mix of bio and non-bio chemicals	<p>Areas will have a visible spray line around assets.</p> <p>Additional resources and funds required.</p>	<p>Promotion about use of non chemicals and visual impacts.</p>	DIII
Option 3: Non-biochemical for all greenspaces	<p>Areas will have a visible spray line around assets.</p> <p>Additional resources and funds required.</p>	<p>Promotion about use of non chemicals and visual impacts.</p>	DIV
Option 4: 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.</p>	<p>Staff rotate tasks to reduce exposure time.</p>	CII

<p>Option 5: Leave grass as is around assets - long grass and Hand pull weeds in shrub beds and hard standing</p>	<p>Increased risk of public criticism of poorer standards of grass amenity with Higher level of complaints about long grass around assets.</p> <p>Reputational harm for both the Council and Medway Norse.</p> <p>Reduction in performance /efficiency.</p> <p>Increased risk of back related injuries from repeated bending and twisting actions.</p> <p>Significantly increased costs as more resources are needed.</p>	<p>Promotion about leaving areas to nature to promote wildlife.</p> <p>Increase work force and rotate staff on differ duties.</p>	<p>CIII</p>
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6. Financial implications

- 6.1 The Council's existing Greenspaces budget is built on the assumption that herbicides will be used as per the contract with Medway Norse. As such, any change in practice that leads to increased costs would result in a budget pressure.
- 6.2 The recommendation to cease the use of glyphosate in children's play areas is estimated to cost £3,800 per annum, creating a budget pressure. As such, it will be necessary for savings to be identified elsewhere in the service to offset this.

Option	Resources	Annual additional cost
1:Use herbicides	As per contract	£0
2: Integrated Approach – mix of bio and non bio chemicals	Additional 2,000 man hours as requires 3 applications for non bio chemicals Or Do not use glyphosates in in Play areas	£30,000 Or £3,800

3: Non-biochemical	Use alternative weed spraying product to cover the same area more frequently; Additional 4,000 man hours requires 3 applications	£60,000
4: Use of strimmers around assets	24 staff & strimmers	£264,000 <i>Additionally, there is a financial, unquantifiable risk, if a personal injury claim is subsequently made by staff exposed to Hand Arm Vibration.</i>
5: Leave grass as is around assets - long grass and hand pull weeds in shrub beds and hard surface areas	Hand pull weeds: approx. 6 additional staff. This estimate is based: <ul style="list-style-type: none"> • 182,000 sqm of shrubs • 23,000 sqm of hard surfaces 	£172,000

7. Legal implications

- 7.1 The service is operating within the legal framework as detailed in the appendices and will continue to monitor any relevant changes in regulations as laid down by the EU and transposed into UK Law.
- 7.2 Variations in the operation of the contract can be made in negotiation with Medway Norse as agreed as part of the JV model of operation.

8. Recommendations

- 8.1 It be recommended to Cabinet that:
- a) due to conflicting opinion, glyphosate no longer be used in children's play areas.
 - b) as the current product has been deemed safe to use by independent scientific experts working for the EU and UK Government, the service continue the adopted practice on all other green space assets.
 - c) the service continue to review usage of glyphosate herbicides in greenspace / public areas within legislation guidelines.

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Appendices

Appendix 1 – Legal Duties for Weed Control

Appendix 2 – EU and HSE Current Advice on Glyphosate Usage

Appendix 3 – Health and Safety Executive: Key Messages on Risk of Hand Arm Vibration (HAVs)

Appendix 4 – Safety Data Sheets

Appendix 5 – Visual Impact of Products

Appendix 6 – Foamstream

Appendix 7 – Other Local Authority Experiences

Background papers

1. Guidance note on the methods that can be used to control harmful weeds

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69296/pb7190-harmful-weed-control.pdf

2. Guidance : Stop invasive non-native plants from spreading

<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

3. HSE guidance and FAQs:

<http://www.hse.gov.uk/pesticides/topics/using-pesticides/general/glyphosate-faqs.htm>

4. Status of glyphosate in the EU

https://ec.europa.eu/food/plant/pesticides/glyphosate_en

5. Health and Safety Executive: Key Messages on Risk of Hand Arm Vibration (Havs)

<http://www.hse.gov.uk/vibration/hav/keymessages.htm>