

Agenda Item No: 10 **Report No:** 69/17
Report Title: Response to Petition – Pesticide Free Lewes
Report To: Council **Date:** 10 May 2017
Cabinet Member: Cllr Linington
Ward(s) Affected: All
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Purpose of Report:

To respond to the petition submitted to Council on the 7th December 2016 regarding the use of pesticides in the Lewes District.

Officers Recommendation(s):

- 1 To note and debate the petition in line with the Councils petitions scheme.
 - 2 To adopt the Pesticide Reduction Plan shown in paragraph 7.
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Reasons for Recommendations

- 1 At the meeting on the 7 December 2016, Council received a petition from Cllr Carter and Mr Adams containing a combined total of over 1500 signatures. The petition stated:

“Stop spraying all toxic pesticides in Lewes District streets, parks, schools and public spaces. There is clear evidence that pesticides (such as the herbicide glyphosate) used for pest and weed control across Lewes District are causing declines in biodiversity and are harmful to human health, especially children. Our children need to be able to play safely in the parks of Lewes face down on the ground without fear of exposure to glyphosate and other potentially harmful chemicals. But it is not just children.

Everybody who lives, works, plays, visits or walks their dog anywhere in this beautiful district should have the right to enjoy the area without fear of coming into contact with unnecessary, toxic chemicals”.

In light of the number of signatures and in accordance with the Council's petitions scheme, it was agreed that the petition would be debated by the Council as an individual agenda item at a future Council meeting.

Information

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- 2.1** The petition that has been received is requesting to stop the use of pesticides in streets, parks, schools and public spaces. It should be noted, however, that East Sussex County Council is responsible for the maintenance, and therefore pesticide use, within most schools and highways / streets.
- 2.2** The council currently has a policy, through its Pesticide Management Plan, which strictly limits the use of pesticides on council owned land. The term "pesticide" encompasses herbicides, insecticides, lumbricides, and pest control materials.
- 2.3** The council does not use any pesticides in designated childrens play areas, and it does not use any residual herbicides. ie herbicides that are intended to stay in the ground to prevent further weed growth.
- 2.4** However, the council does use the herbicide Glyphosate for the control of weeds in hard surface pathways in recreation grounds and around our housing areas. This pesticide is applied by trained operatives in very small doses to each individual weed – it is not blanket sprayed across the entire hard surfaced area.
- 2.5** The council also uses selective herbicides for the control of weeds in sports areas, such as bowling greens, cricket squares and football pitches, where it is important to keep a safe uniform and level playing surface.
- 2.6** The council takes biodiversity very seriously, and this year will be increasing the perennial wildflower areas across the district, to help provide additional food sources for butterflies and bees.

Pesticide Free Campaign

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- 3.1** There is currently a campaign, being led in the UK by PAN UK (Pesticides Action Network), to create pesticide free towns across the country.
- 3.2** The reasons for wishing to go pesticide free are numerous, but include:
 - (a)** Contamination of local water supplies
 - (b)** The potential impact of pesticides on human health, the environment, biodiversity and bees populations

(c) Public concern

- 3.3** In April 2015, the International Agency for Research on Cancer, part of the World Health Organisation, concluded that Glyphosate based weed killer was “probably carcinogenic to humans”. Other studies have linked glyphosate to birth defects and a rise in antibiotic resistance.
- 3.4** PAN UK have a “precautionary principle” that states that “*When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some of the cause and effect relationships are not fully established scientifically*”. In other words, although some evidence against the use of pesticides appears inconclusive, it is far better to work towards using less or ideally no pesticides.
- 3.5** There are some areas where alternative weed control methods are not yet fully developed, such as the control of Knot weed, so a phased approach to pesticide reduction is required, rather than a complete overnight ban.

Glyphosate and the Law

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- 4.1** All products containing Glyphosate have to be registered and approved by the European Pesticides Commission.
- 4.2** Glyphosate was re-registered and approved in June 2016, but for a limited period of 18 months (until the end of 2017).
- 4.3** As part of this approval extension, the Commission also presented some recommendations to be considered by member states. One of these recommendations was to “*minimise the use of the substance (glyphosate) in public parks, public playgrounds and gardens*”
- 4.4** There is the possibility that further restrictions or a total ban on Glyphosate *may* be brought in when the registration is reconsidered at the end of 2017. By reducing the reliance on the chemical now, we will be better prepared for any future changes.

Current Pesticide Use by LDC and possible alternatives

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5.1 Pesticide usage at LDC

| Pesticide | Purpose | Application | Area used | Alternatives |
|-----------------------------------|--------------|----------------|--|--|
| Roundup Pro Biactive (Glyphosate) | Weed killing | Spot treatment | Paths and hard surfaces (not play areas) | Foamstream Hot Water Burning Manual weeding |

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|--------------------------------|-----------------------------|----------|--|--|
| | | | | Vinegar |
| Mecoprop, Dicamba | Selected weedkilling | Spray | Sports pitches and bowling greens | None |
| Glyphosate | Knotweed control | Injected | Knotweed and other problem infestations weeds | None, although some control gained through electrocution method |
| Ferrox Sulphate | Moss Control | Spray | Fine turf | None – although cultural methods such as aeration can help reduce the need. |
| Azoxystrobin, Propiconazole | Fungicide | Spray | To control fungal attacks on fine sports turf | None – although cultural methods such as aeration can help reduce the need. |
| | Pest / Rodent Control | | | |

5.2 Alternatives to Chemical Weed Control

| Method | Use | Advantages | Disadvantages |
|------------------------|---|---|---|
| Hot Foam | Weeds in hard surfaces Moss on hard surfaces and play area safety surfacing, Grass growth around trees | Foam holds hot water against plant. Pesticide free but uses plant oil extracts in foam. Can be used in all weather. Kills 95% of targeted weeds. | New technology – needs refinement. Expensive to purchase (£25,000+) Additional cost of plant oil extract, Diesel consumption and pollution. |
| Hot Water / Steam | Weeds in hard surfaces, play area surfacing, graffiti removal, chewing gum removal. | Lower initial purchase cost. | Requires more treatments as heat is not held onto plant. Diesel consumption and pollution. |
| Propane / Flame gun | Weeds on hard surfaces | Relatively cheap to purchase | Health and Safety Risks (banned in the domestic market). Not particularly effective. |
| Manual Weeding | Weeds in general | Very effective if done well. Low set up costs (excluding labour). | Very time consuming. Requires large amount of labour. |
| Vinegar | Weeds in hard surfaces | No licence required for application. | Has been trialled, but has not been effective. Strong smell, can give operator headache. |

6 Trials of alternative weed control methods

- 6.1** Over the past 6 months, LDC have been trialling various types of alternative weed control, including hot foam and hot water systems
- 6.2** The developments of these systems are still in early stages, with no system providing an overall solution. Non chemical weed control will be more expensive than traditional chemical weed control, and costs may rise further if a ban on Glyphosate comes in, and demand for alternatives increase.
- 6.3** From the trials carried out by LDC, the Foamstream method of weed control, using hot foam, has been found to provide the best alternative weed control method. It is also very effective at cleaning off moss and algae from play area surfacing, and on hard surfaces such as tennis courts. One big advantage of Foamstream is that it can be used all year round, even in cold weather.
- 6.4** A number of other councils across the country are looking at reducing the amount of pesticides used, or going pesticide free. These include Brighton and Hove City Council, London Borough of Hammersmith and Fulham, Woking Borough Council and Edinburgh City Council.
- 6.5** Fareham Borough Council has recently purchased a Foamstream machine, and is currently training their staff in its use.
- 6.6** Support to the principle of reducing pesticide use has also been received from Lewes Town Council and Newhaven Town Council.

7 Pesticide Reduction Plan

- 7.1** Should Council decide to adopt a phased pesticide reduction plan, then it is proposed that the following proposal be supported:

| Item | Proposal | Advantages / Disadvantages | Time Scale |
|---|---|---|------------|
| Pesticide Free Parks | To introduce Pesticide Free Parks and Play Areas. These would be set areas where it is feasible to stop using pesticides completely*. For instance, Southover Grange Gardens is already a pesticide free park. Other park areas across the district could be phased in. | Park areas would have signage to promote them as pesticide free parks and the council would benefit from good publicity. New pesticide free parks could be introduced annually, assuming that they are suitable. | 0-3 years |
| Weed spraying of hard surfaces using Glyphosate | To make use of a Foamstream machine to carry out the weed killing on all accessible paths and hard surfaces in parks, gardens and housing areas. The Foamstream | LDC would have full use of a Foamstream machine, with all maintenance costs being absorbed by the contractor. In order to cover the cost of the machine, this agreement would need to be in place for the | 1 year |

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|----------------------------|---|---|--|
| | <p>machine would be supplied and operated by our grounds maintenance contractor.</p> <p>There would be no additional costs to LDC, as costs would be transferred by a contract variation from chemical weed control to Foamstream weed control.</p> | <p>remaining term of the grounds maintenance agreement.</p> <p>Whilst the Foamstream machine is not being used on the LDC Contract, it can be used by LDC and the contractor to procure weed control work in other authorities.</p> <p>Limited pesticide application may still be required on areas where it is not feasible to use the Foamstream Machine.</p> | |
| Sports Turf Areas | At the present time it is not possible to stop using pesticides in these areas. It is proposed that pesticide applications are reduced as much as possible, until such time as pesticide free alternatives become available. | Pesticides will still need to be used, although cultural and non pesticide alternatives will be used when and if they become available. | Review in year 1-2 |
| Specific problem areas | For the control of a specific problem, such as Knot Weed control or stump removal, pesticides will have to be used until suitable alternatives are available. | <p>LDC have an obligation to control Knot weed in certain areas, and Glyphosate treatment is the only viable control method.</p> <p>Application of the pesticide will be very specific, in the form of leaf application, injection or as eco – plugs, placed directly in the stump</p> | Review in year 1-2 |
| Pesticides Management Plan | To revise the LDC Pesticide Management Plan to include these proposals and to introduce a pesticide reduction policy. | LDC will commit to reduce the use of pesticides, whilst still allowing use where essential and where alternatives are not yet available. | To be submitted to Cabinet in May 2018 |

*Pesticides may have to be used for specific problems where there is no alternative, ie if Knot weed infestation became a problem.

8 Financial Appraisal

8.1 By working in partnership with our contractor, G. Burleys, there will be no additional costs to LDC by implementing this Pesticide Reduction policy.

- 8.2** There is currently an annual cost of £32,320 within our grounds maintenance to carry out weed killing on hard surfaces in parks, open spaces and housing areas.
- 8.3** The cost to provide and operate a Foamstream machine will be £24,828 per annum (includes machine, labour, trailer and vehicle).
- 8.4** If the policy is agreed, then a Variation to the contract will be issued to the contractor to change from pesticide use to using a Foamstream machine for the remaining term of the contract.
- 8.5** The balance of £7,492 per annum will be used for weed control in those areas that are inaccessible to the Foamstream machine.
- 8.6** By taking this option, LDC would not be liable for any maintenance costs or Vehicle and trailer costs, and would not need to find storage areas or pay for the machine when it is not being used.

Legal Implications

- 9** The current legal position regarding the use of glyphosate is set out in paragraph 4 above. Until the Great Repeal Bill is debated and enacted by the UK Parliament, it is not known whether the legal obligations regarding glyphosate under EU law will be incorporated into UK domestic law (whether in its original form or adapted) or repealed, as part of the process of the UK leaving the EU in 2019.

Date of legal advice: 29.3.17. Legal ref: 06213-LDC-OD

Risk Management Implications

- 10** *I have completed a risk assessment.*

The following risks may arise if the recommendations are not implemented and I propose to mitigate these risks in the following ways:

| Risk | Mitigation |
|--|---|
| There is a risk that at the end of 2017, registration of the pesticide Glyphosate will be removed. | If registration was removed, and these recommendations had been approved, then the Foamstream system could be used. If the recommendation were not approved, then there is likely to be a phasing in period of the ban on the use of Glyphosate. During this time, alternative weed control methods would have to be adopted. It should be noted that there is no indication at this time whether a ban will be introduced, or if registration of the product will be |

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| | renewed. |
| Public opinion on the use of pesticides may grow with more publicity. | The use of pesticides would remain carefully controlled. |

The following risks will arise if the recommendations are implemented and I propose to mitigate these risks in the following ways:

| Risk | Mitigation |
|--|---|
| There is a risk that the “new technology” proves to be un reliable and therefore more expensive. | As the machinery is purchased by our contractor, these risks would transfer to them, with no liability with LDC. |
| To cover costs, the variation with our contractor needs to remain in place until the end of the contract term. There is a risk that if the contract term ended early, there would be an additional fee to pay. | It is very unlikely that the contract term would finish early. If this were the case, then this would form part of the overall contract termination negotiations. |

Equality Screening

- 11** An Equality Analysis has been undertaken and the potential introduction of a pesticide reduction policy was found to have likely positive outcomes for all residents, but in particular for children and young people who may be more vulnerable to pesticide use.

Background Papers

- 12** None

Appendices

- 13** The Foamstream System

Appendix 1: The Foamstream System

