

14 September 2020

## **OVERVIEW AND SCRUTINY COMMITTEE 1**

A meeting of the **Overview and Scrutiny Committee 1** will be held on **Tuesday, 22nd September, 2020 at 10.00 am**. This will be a virtual meeting and you can observe the meeting via the following link <https://m.youtube.com/user/TeignbridgeDC/videos>

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Clarence, D Cox, H Cox, Eden, Foden, Gribble, Hocking, Jenks, Mullone, Nutley, Patch, Rollason and Thorne

**Please Note:** The meeting will be live streamed with the exception where there are confidential or exempt items, which may need to be considered in the absence of the media and public.

## **A G E N D A**

1. **Apologies**
2. **Election of Chair**
3. **Election of Deputy Chair**
4. **Declarations of interest**

### **Standing Items**

5. **Public questions (if any)**

Please submit your questions by email before 12 Noon two clear working days before the meeting.

6. **Councillor Questions (if any)**

Please submit your questions by email before 12 Noon three clear working days before the meeting.

7. **Work Programme**

(Pages 5 - 8)

For Committee Members to identify any areas of work for future meetings of the Committee.

8. **Executive Forward Plan including verbal update from Portfolio Holders**

The Executive Forward plan can be found [here](#).

Portfolio Holders:

Council Leader, Cllr Connett - Strategic Direction

Cllr Dewhirst - Recycling, Household Waste & Environmental

Cllr J Hook - Climate Change

Cllr Wrigley - Homes & Communities

**Reports/Matters referred to the Committee**

9. **BAME Notice of Motion referred from Council 28 July 2020**

[Annual Council 28 July 2020](#) resolved the Notice of Motion on equality of representation in the Teignbridge District presented by Cllr Jeffries (as per the above link).

The resolved motion covers the following areas of work in which there are two principal categories of work (a) work which the Council can undertake itself and (b) work particularly child and adult education which the Council should undertake with Devon County Council as detailed below. The Audit Scrutiny Committee resolved on 26 August 2020 to deal with category (a) by the setting up of a review. The Overview & Scrutiny Committees are asked to consider and recommend to Executive and how they would like to take forward the resolutions (b) from Council.

(a) Review of the Governance of the Council which will comprise:

- I. A review of the Council's own HR and Equalities practices (including provision for member and officer training)
- II. The Council setting up an advisory board to consider BAME within the context an EIA for Covid 19
- III. A review of the Councillor Community Fund criteria to promote projects which address inequalities and raising educational attainment within underrepresented groups.

(b) [The Council to] Work with Devon County Council (DCC) to explore the prospect of making changes the curriculum to include BAME experiences, contributions, and the FACTs of History, throughout the year:-

[The Council to] Explore the possibility of an education transformation project in conjunction with schools that creates a suite of curriculum resources specific to Teignbridge's History:-

[The Council to] Lobby Government to invest and resource changes to the curriculum across the UK through the support of organisations such as The Black Curriculum and via associated campaigns:-

[The Council to] In partnership with DCC, [to] conduct a review of street names and monuments within Teignbridge to assess where information plaques relevant to uncovering the history of Imperialism and links to slavery can be put in place as soon as possible.

10. **Fly Tipping** (Pages 9 - 16)
11. **Grounds maintenance weed control -non toxic weed control** (Pages 17 - 28)
12. **Performance Monitoring**

If you would like this information in another format, please telephone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)

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## OVERVIEW & SCRUTINY COMMITTEE (1) WORK PROGRAMME 2020 – 2021

### Strategic Direction; Environmental Health; Waste & Recycling; Climate Change Emergency; Communities; Housing & Information Technology

#### Portfolio Holders

**Strategic Direction (Council Leader - Cllr Connett)**  
**Recycling, Household Waste & Environmental Health (Cllr Dewhurst)**  
**Homes & Communities (Cllr Wrigley)**  
**Climate Change (Cllr J Hook)**

The Overview and Scrutiny Committee Work Programme details the planning activity to be undertaken over the coming months.

The dates are indicative of when the Committee will review the items. It is a flexible programme however and it is possible that items may need to be rescheduled and new items added with new issues and priorities.

#### **Standing Item**

Strata Joint Executive Minutes

<b>22 September 2020</b>	<b>Report</b>	<b>Lead Officer / Next Steps</b>
Leader & PH updates (5 Minutes each)		Portfolio Holders
Fly Tipping	Report	David Eaton
Notice of Motion from Council 28 July 2020 Black Lives Matter		Amanda Pujol
Grounds Maintenance weed Control-non toxic weed control	Report	Lorraine Montgomery
Council Strategy performance Monitoring Q1	Report	Liz Gingell

<b>22 December 2021</b>	<b>Report</b>	<b>Lead Officer / Next Steps</b>
COVID-19	Report	Neil Blaney Review Group Members
Members IT	Report	Sarah Selway
Council Strategy performance Monitoring Q2	Report	Liz Gingell

<b>12 January 2021</b>	<b>Report</b>	<b>Lead Officer / Next Steps</b>
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Budget	Report	Martin Flitcroft
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9 February 2021	Report	Lead Officer / Next Steps
Budget	Report	Martin Flitcroft
Council Strategy Performance Monitoring Q3	Report	Liz Gingell

13 July 2021	Report	Lead Officer / Next Steps
Council Strategy Performance Monitoring Q4	Report	Liz Gingell

**Task & Finish Groups**

COVID 19 Community Impact		

**Items to be scheduled**


**PROPOSAL FORM FOR ITEMS FOR  
FOR CONSIDERATION BY  
OVERVIEW & SCRUTINY**

**Submitted by:**

**Item for Consideration:**

**Expected outcome i.e. new policy, new action, new partnership, review and/or scrutinise the performance of other public bodies or of the Council in relation to its policy objectives, performance targets and/or particular service areas:**

**Priority for matter to be considered:**

High (up to 3 months)

Medium (3-6 months)

Low (over 9 months).

Basis on which priority has been set .....

**The suggested item should be included in future programme(s) because: (please tick as appropriate)**

- (a) It is a district level function over which the district has some control
- (b) It is a recently introduced policy, service area of activity which would be timely to review.
- (c) It is a policy which has been running for some time and is due for review
- (d) It is a major proposal for change
- (e) It is an issue raised via complaints received
- (f) It is an area of public concern
- (g) It is an area of poor performance
- (h) It would be of benefit to residents of the district

(i) Which of the Council's objectives does the issue address?

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(j) Is there a deadline for the Council to make a decision? (If so, when and why?)

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**Members are requested to provide information on the following:-**

(k) What do you wish to achieve from the review?

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(l) Are the desired outcomes likely to be achievable?

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(m) Will it change/increase efficiency and cost effectiveness?

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**Additional information** – an explanatory sentence or paragraph to be provided below to support each box which has been ticked.

**Please return completed form to Democratic Services Department.**



**TEIGNBRIDGE DISTRICT COUNCIL  
OVERVIEW and SCRUTINY  
22<sup>nd</sup> September 2020  
PART I**

<b>Report Title</b>	<b>Fly Tipping in Teignbridge</b>
<b>Purpose of Report</b>	To inform members of the powers, responsibilities and initiatives regarding fly tipping
<b>Recommendation(s)</b>	<b>The Committee RESOLVES to:</b>  <b>(1) Note the contents of the report</b>
<b>Financial Implications</b>	The financial impacts are considered in section 5.1 of the report. Email: <a href="mailto:martin.flitcroft@teignbridge.gov.uk">martin.flitcroft@teignbridge.gov.uk</a>
<b>Legal Implications</b>	There are no legal implications as the report is for information only. Email: <a href="mailto:karen.trickey@teignbridge.gov.uk">karen.trickey@teignbridge.gov.uk</a>
<b>Risk Assessment</b>	The risks to staff involved are managed carefully and are acceptable. The investigation of fly tipping is a high profile service and there is a reputation risk if the correct procedures are not followed. David Eaton, Environmental Protection Manager Email: <a href="mailto:david.eaton@teignbridge.gov.uk">david.eaton@teignbridge.gov.uk</a>
<b>Environmental/ Climate Change Implications</b>	The Council's approach to fly-tipping prevention and mitigation are detailed in the report. Actions by the council seek to prevent contamination of land and ensure waste is collected and disposed using licenced waste treatment facilities. William Elliot, Climate Change Officer Email: <a href="mailto:william.elliott@teignbridge.gov.uk">william.elliott@teignbridge.gov.uk</a>
<b>Report Author</b>	David Eaton, Environmental Protection Manager Email: <a href="mailto:david.eaton@teignbridge.gov.uk">david.eaton@teignbridge.gov.uk</a>
<b>Portfolio Holder</b>	Cllr Alistair Dewhurst
<b>Appendices / Background Papers</b>	Overview and Scrutiny Committee 7 <sup>th</sup> February 2020 Minute 16 Overview and Scrutiny Committee 3 <sup>rd</sup> March 2020 Minute 35

## **1. BACKGROUND**

1.1 Following a Councillor question to Overview and Scrutiny committee on the 7th February 2020 information was provided in answer to the following questions.

- What recent year-on-year trends have been observed regarding fly-tipping incidents in Teignbridge? Specifically, for each of the last 4 years,
- what are the numbers of: i) fly-tipping cases reported to Teignbridge DC; ii) fly-tipping cases actively investigated; iii) prosecutions/fines arising from fly-tipping incidents.

1.2 Councillor Patch asked a supplementary question referring to the decrease in fly-tipping cases actively investigated from 641 in 2016/17 to 161 in 2019/20 to date, and the formal process in place to undertake prosecutions, the involvement of the Police and what preventative measures were in place. It was agreed that a report be presented to the next meeting of the Committee for consideration, and which would incorporate the answer to the Councillor supplementary question referred to at the meeting.

## **2. RESPONSIBILITES OF THE COUNCIL REGARDING FLY TIPPING**

2.1 The main legislation to control fly tipping is contained within sections 33, 34 and 59 of the Environmental Protection Act 1990. Section 33 makes it an offence to deposit or knowingly cause or knowingly permit fly-tipping. Section 34 places a duty of care on all persons concerned with controlled waste who must ensure that the waste is managed properly, recovered or disposed of safely, does not cause harm to human health or pollution of the environment and is only transferred to someone who is authorised to receive it. This definition includes small single items dumped by individual householders up to large scale commercial activities where the offender is attempting to avoid the disposal costs at a licenced waste disposal site.

2.2 Fly tipping has a number of significant impacts, causing environmental damage, social environmental damage where the visible fly tipping creates an environment that encourages further fly tipping. In some cases it is a larger scale

criminal activity which is defrauding householders who have paid for their waste to be disposed of correctly.

2.3 The Environmental Protection Act 1990 gives powers to both local authorities and the Environment Agency to tackle fly tipping. The Environment Agency is a national organisation and tackles larger and more organised environmental crime. The work of the Environment Agency includes dealing with illegally operating waste sites and unlicensed transfer yards. The Environment Agency investigates the larger scale incidents of fly tipping involving hazardous waste and incidents involving organised gangs of fly tippers

2.4 The Environmental Protection Act 1990 places a duty on the Council to keep clean council land or a public highway. On private land the land owner/management company is responsible for clearance.

### **3. INVESTIGATION AND ENFORCEMENT PROCESS**

3.1 Officers employ both proactive and reactive strategies to address problems of fly-tipping. Proactive measures include the monitoring and surveillance of hotspot locations subject to regular fly-tipping and the use of publicity campaigns. Reactive measures will involve the investigation of incidents of fly-tipped waste to determine whether evidence can be gathered to take action

3.2 Any fly tipping that is reported to the Council or discovered by Council officers is investigated. The investigation does not always result in a site visit by an officer, a preliminary desk top investigation is first conducted to assess the likelihood of obtaining usable evidence.

In order to progress an investigation evidence of a reasonable standard is required. This could include an item found within the waste indicating where it was from or an eyewitness account of the deposit occurring.

3.3 If there is no visible evidence the service request is passed to the Waste and Cleansing team for removal if it is on council land or the public highway. If during the

removal of the waste evidence is uncovered the team will seize the evidence to allow further investigation.

3.4 Where names and/or addresses are discovered in a fly-tip, an active investigation is undertaken into who has disposed of the waste and from what address/premises. It may be that the person implicated had undertaken the act of fly-tipping themselves or that they had passed waste to another person for disposal. Even when an address is found within waste it is not always possible to establish who had actually fly tipped it.

3.5 Where a vehicle has been used to carry out fly-tipping and a vehicle registration mark (VRM) has been obtained, details of the current registered keeper of the vehicle may be requested from DVLA. The records kept by DVLA are not infallible and may on occasion be incomplete or out of date. It is the case that a VRM may be obscured or altered by a person engaged in a criminal activity or that a vehicle may be purposely registered incorrectly to avoid detection.

3.6 DVLA set minimum evidential standards that must be met before such a request may be made. These include an actual observation of an offence occurring from a vehicle; circumstantial evidence such as the presence of a vehicle in the area that a fly-tip was later discovered is not acceptable to DVLA and an enquiry would not be permitted in those circumstances.

3.7 In cases where a member of the public has witnessed a deposit from a vehicle and noted the registration mark DVLA require a signed witness statement to be taken from the witness prior to any request for keeper details being made.

3.8 If DVLA suspect that their system has been used inappropriately, either for “fishing” searches when the whole VRM was not known or where insufficient evidence exists to link a vehicle to a crime, they will suspend access to their services and undertake an investigation. This would result in the Council being unable to obtain any data from the DVLA for the duration of the suspension or indefinitely if the service is withdrawn after investigation.

3.9 If the officer has sufficient evidence to suggest that an offence has been committed contact will be made with the individual. There are a number of actions that can now be taken dependant on the response of the individual.

- No Further Action taken
- Offence of fly tipping admitted and a Fixed Penalty Notice (FPN) issued
- Offence of breach of householder's duty of care admitted and a fixed penalty notice issued.
- Offence not admitted and prosecution case recommended
- Repeat offender and recommend prosecution

3.10 Once an FPN is issued then proceedings for the offence cannot be issued for a period of at least fourteen days from the date of issue. If the FPN is discharged (paid) within this period, this precludes any further action being taken in relation to that particular offence against the recipient of the FPN.

3.11 The current fixed penalty notices fines are as follows;

- Unauthorised deposit of waste (fly tipping) £400 with no discount for early payment
- Failure to furnish documentation (Waste Carriers Licence) £300
- Failure to produce authority (Waste Transfer Notes) £300

3.12 Covert surveillance will only be undertaken in line with the requirements of the Regulation of Investigatory Powers Act 2000 ('RIPA') and Home Office's Codes of Practice on Covert Surveillance, and the Office of Surveillance Commissioners Procedures and Guidance. The decision to carry out directed surveillance will only be taken after consultation with the council's Senior Responsible Officer for RIPA and approved by a Justice of the Peace before surveillance may be undertaken. There is a requirement to establish the necessity and the proportionality of any surveillance. The Council is inspected by the Office of Surveillance Commissioners to ensure compliance with the appropriate legislation and regulations.

## **4 INITIATIVES REGARDING FLY TIPPING**

### **4.1 Multi Agency Working**

The Council officers regularly work with colleagues from neighbouring district councils, the Environment Agency, Police and trading standards in the investigation of offences. There are agreed procedures for intelligence sharing which assists in the identification of wider trends and offence patterns.

### **4.2 Householder responsibility**

The council has undertaken a number of campaigns to highlight the duty on householders who are required to take reasonable measures to ensure that household waste produced on their property is passed on to an authorised person. Reasonable measures should include making a check with the Environment Agency that the person to whom they gave their waste is a registered waste carrier.

### **4.3 Clean Devon**

Officers from the Council are active members of the Clean Devon partnership. This a multi-agency task force to combat fly tipping. Many of the county's leading agencies will be working together in a crime-busting partnership known as the Clean Devon task force. The aim of the partnership is to send a clear message to fly tippers that their behaviour will not be tolerated.

It brings together organisations from across Devon, including environmental and business groups, emergency services, government departments, local authorities, community groups and voluntary services, into a single partnership

Partners collate and share intelligence and are working to introduce the latest technology to help identify the culprits and seek to investigate and prosecute illegal behaviour. It will also help identify high risk areas and enable each of the partners to target their resources better, to quickly clear up hot spots.

## **5 IMPLICATIONS, RISK MANAGEMENT & CLIMATE CHANGE IMPACT**

### **5.1 Financial**

The management of fly-tipping including removal, enforcement and disposal places additional financial burdens on the authority. Investigation, enforcement and removal increases the officer and disposal cost where waste is not disposed of or recycled through the correct waste streams. Currently the enforcement function operates within the approved budget.

Any Fixed Penalty Notice fines are only used within the service budget as required by legislation.

### **5.2 Legal**

The Council had a legal duty to investigation fly tipping and take appropriate action in accordance with our enforcement policy. All investigation work is required to meet the provisions of the Police and Criminal Evidence Act 1984 (PACE) and related codes and the Regulation of Investigatory Powers Act 2000 (RIPA).

The Council is also under a duty to keep highways and relevant land for which it is responsible “clean” and free from litter and refuse insofar as is practicable. There is no legal requirement for the Council to clear fly-tipping from land not in its ownership.

### **5.3 Risks**

In the event that the Council did not remove fly-tipping from its own land and highways, the authority could risk being in breach of its statutory duties. Public health and perceptions of a local area are also impacted by the presence of fly-tipping so both resident satisfaction and investment and growth could be impacted accordingly.

### **5.4 Environmental/Climate Change Impact**

Due to the variable composition of waste and location of fly-tips, fly tripping can result in a range of environmental impacts. Section 3 of the report identifies that all incidences of fly-tipping reported to the council or identified by a council officer are investigated. Collection of fly-tipped waste by the Council on council owned land and highways will prevent the effects of waste on the environment and ensure that waste is diverted to licenced waste disposal facilities. The enforcement of penalties for fly

tipping, as covered in Section 3, and awareness campaigns, as set out in Section 4 will act to prevent fly-tipping from occurring in the first instance.

## **6 CONCLUSION**

The Council has robust procedures to investigation offences of fly tipping where sufficient evidence is available. The Council takes an active part in a number of multi-agency initiatives to raise the profile of fly tipping, encouraging reporting and educating householders about their legal responsibility.



**TEIGNBRIDGE DISTRICT COUNCIL  
OVERVIEW AND SCRUTINY**

**22 SEPTEMBER 2020**

<b>Report Title</b>	<b>Council Use of Glyphosate</b>
<b>Purpose of Report</b>	To consider the Council's use of Glyphosate Herbicide
<b>Recommendation(s)</b>	<p><b>The Committee RESOLVES to:</b></p> <p>(1) Continue the current carefully managed use of glyphosate</p> <p>(2) Implement the improvements suggested and reduce the use of glyphosate in parks and cemeteries by a further 20% (within current budgets)</p> <p>(3) Continue to seek alternative solutions and opportunities to reduce use of glyphosate.</p>
<b>Financial Implications</b>	<p>Please refer to 2.1</p> <p>The recommended course of action is achievable within budget. Other options will increase costs and will require savings to be found elsewhere.</p> <p>Martin Flitcroft, Chief Finance Officer Tel: 01626 215 Email: martinflitcroft@teignbridge.gov.uk</p>
<b>Legal Implications</b>	<p>There are no legal implications as such regarding the use of Glyphosate currently. However, the report indicates that the use of Glyphosate can have health implications if used incorrectly. Guidance on the use of Glyphosate is widely available and must be adhered to.</p> <p>Paul Woodhead Legal Services Team Leader and Deputy Monitoring Officer. 01626 215139 paul.woodhead@teignbridge.gov.uk.</p>
<b>Risk Assessment</b>	<p>The risks associated with the use of glyphosate are managed carefully and are acceptable. There are some risks to be considered if moving away from the current practice, financial and reputational which are set out in 2.3</p> <p>Lorraine Montgomery Head of Operations Tel: 01626 215852 Email: lorraine.montgomery@teignbridge.gov.uk</p>
<b>Environmental/ Climate Change Implications</b>	<p>From an energy and resource point of view, Glyphosate based treatments seem to be the most practical solution. It minimises the need for repeat site-visits, resulting in reduced transport emissions, requires little energy (electricity, diesel etc.) and water to administer when compared to the alternatives.</p> <p>William Elliot, Environmental Health, Climate change Officer Email: william.elliott@teignbridge.gov.uk</p>
<b>Report Author</b>	<p>Lorraine Montgomery Head of Operations Tel: 01626 215852 Email: lorraine.montgomery@teignbridge.gov.uk</p>
<b>Portfolio Holder</b>	Cllr Andrew MacGregor: Portfolio Holder for Sport, Recreation & Culture
<b>Appendices</b>	<p>Appendix A Sites treated for Notifiable Weeds</p> <p>Appendix B Hard surfaces annually spot treated</p> <p>Appendix C Foamstream costs</p> <p>Appendix D Glasgow City Trials</p>
<b>Background Papers</b>	Appendices attached/previous OS minute 3 March 2020 (Minute 36)

## 1. PURPOSE

Members have raised concerns about the Council's use of Glyphosate herbicides and wish to understand the Council's current use and what alternative options are available.

## 2. REPORT DETAIL

### What is Glyphosate?

Glyphosate is the active substance in many herbicides. It is widely used around the world. It is a non-selective systemic herbicide and it is effective in controlling most weed species including perennials and grasses. It is used in amenity situations but used most widely and in much greater quantities in forestry and agriculture. It is subject to extensive testing and regulatory assessment in EU, USA and by the World Health Organisation. Glyphosate is not a neonicotinoid – (these are types of pesticide used to treat crops against certain insects). The Council does not use neonicotinoids.

### What is the concern?

Pesticides including Glyphosate if used without care or incorrectly can have human health impacts, harm biodiversity and contaminate can water courses. In 2015 the World Health Organisation concluded that Glyphosate is 'probably carcinogenic to humans'. However the science and evidence shows that Glyphosate is safe when used correctly.

### Council's current use of Glyphosate

The Council has already taken steps to minimise use of glyphosate. There has been a 35-40% reduction of Glyphosate use by the Council over the last 8 years. Great care is taken in terms of who uses it, how it is stored and how it is applied. We maintain COSHH records and ensure our contractors have the relevant training, risk assessments and safe operating procedures. The use of Glyphosate is kept under review and we actively seek an effective alternatives.

The Council currently now only uses glyphosate in the following situations:

- **Treatment of invasive notifiable weeds** -The Council has a legal obligation to treat notifiable weeds such as Japanese Knot Weed, Giant Hog Weed, and Himalayan Balsam. We currently have 14 sites (Appendix A) where we have ongoing treatment of Japanese Knot Weed this is typically two treatments per year until eradicated, which can take up to 5 years depending on the size and concentration of the outbreak. The current chemical used is Round- up Pro–Advantage 480 which has a higher content of Glyphosate.
- **Treatment of hard surfaces in parks open spaces and carparks.** Currently one application of herbicide takes place per year to sites shown in Appendix B. This treatment of hard surfaces takes place in late April or early May dependent upon weed germination (it has not taken place this year). The chemical the contractor uses currently is Monsanto Amenity Glyphosate 350 (we moved from use of Amenity Glyphosate 450 to reduce the Glyphosate salt content for each application).

## What are the Options?

- **Reduce frequencies**  
We have already reduced the frequencies and quantities/ concentrations to the minimum that is effective.
- **Use of condensed droplet application CDA instead of knapsack application**  
This is what was planned to be used going forward for hard surfaces, although slightly higher cost. 'Condensed' or 'Total Droplet' application is a low volume system (gravity fed) and virtually eliminates spray drift and run-off, making it safer for operators and the environment, the chemical is pre-mixed and connects directly to the applicator.
- **Mulching**  
We have invested in mulching (with wood and bark chips) the vast majority of the Councils shrub beds over the last 8 years and no longer use glyphosate in shrub beds.
- **Hand weeding**  
Hand weeding takes place in Council flower beds and in shrub beds to supplement mulching where needed. This is labour intensive and only a viable option in limited areas without increasing the need for additional operatives (at a greater cost).
- **Hot foam systems.**  
This has been trailed before in our greenspaces and was found to be too slow to apply and not effective in terms of stopping regrowth (sometimes 4-5 treatments were necessary to remove perennials. The system needs to be vehicle mounted, the 'Foamstream' equipment is powered by a diesel engine, it uses a large amount of water and there are safety considerations in relation to trailing pipes in areas pedestrian footfall. It is an expensive option to set up, requiring two operatives to be safe and effective. To cover Council sites across Teignbridge we would require 3 sets of equipment which would need to be in constant use in the growing season. Appendix C shows typical costs for one Foamstream machine mounted on an electric vehicle and 2 seasonal operatives (one driver and one back up sweeper/banksman/ cover driver) this amounts to around £55k for one set up.
- **Acetic acid solutions (Vinegar)**  
We have trailed this but found that very high concentrations of vinegar were required to be effective, particularly to tackle perennial weeds, it only acts as a contact weed killer, was very pungent and unpleasant and weeds grew back rapidly.
- **Flame treatment**  
This method has been trailed in our open spaces with limited success, whilst it scorched the visible growth, it looked untidy and weeds grew back rapidly. There are obvious fire risks also to consider.
- **High pressure hot water treatments**  
Trailed but much the same as other methods only kills visible growth leaving roots to regenerate growth quickly.
- **Steel brushing.**  
We have recently trailed a pedestrian wire brushing systems and a strimmer mounted option was found to be reasonably effective in certain situations. It was not suitable where the surfacing was loose material was ejected so areas to be treated would need to be free of people and cars etc. so not suitable for carparks. Use of the strimmer mounted wire brushes is

achievable within current budgets and we propose to trail using these in certain areas in cemeteries and parks going forward. By doing this we hope to further reduce our use of glyphosate in parks and cemeteries by an additional 20%.

**Appendix C** shows results of trails by Glasgow City Council, circulated by APSE (Association of Public Service Excellence), much of this aligns with our experience.

## 2.1 Financial

Current cost of weed control to Council

- Invasive notifiable weeds £1070 pa
- Parks and Cemeteries £900 pa
- Carparks £1800 pa

The proposed use of 'condensed droplet application CDA at an additional cost of £800 pa and of strimmer mounted wire brushes £500 is achievable within current budgets.

Without the use of glyphosate on hard surfaces the condition of these assets will inevitable deteriorate leading to longer term costs in repairs and trip hazards will develop that will increase the probability of insurance claims.

## 2.2 Legal

The Council has a legal obligation to treat notifiable weeds such as Japanese Knot Weed, Giant Hog Weed, and Himalayan Balsam for which the use of Glyphosate is a recognised treatment. The Council could be liable and face financial penalty should such invasive species spread to a third party's land.

## 2.3 Risks

**Health and Safety** – there have been no definitive studies that confirm that glyphosate is carcinogenic, but as with all chemicals used by the Council or its contractors they are subject to strict controls. All products which contain glyphosate must be individually authorised in EU Member States. Applicants for authorisation must show that their products are effective, humane and pose no unacceptable risks to people or the environment. If their products were to pose such risks, they would not be authorised; or if such effects were discovered later, they would be withdrawn.

Neither the EU's assessment of glyphosate as an active substance nor the UK's assessments of applications for authorisation of products which contain it have found the substance unacceptable for use.

Specific risk assessments are carried out for each chemical (COSHH assessments) that ensure that the storage, handling and use of chemicals is reduced to low and well managed risk levels. By using glyphosate in accordance with appropriate procedures, safe working practices and, where appropriate, personal protective equipment the chemicals can be used safely. Compliance with these measures are regularly monitored.

In addition use of effective chemicals to clean footpaths etc. massively reduces the risks of serious slips, trips and fall injuries which are by far the most common cause of accidents and claims to local authorities.

**Financial Risk** – the current practice is affordable, alternatives which are less effective are more expensive and no additional budget is identifiable. There is a medium to long term financial implication to stopping use of glyphosate, additional repair and maintenance budget will need to be found as well as the potential cost of insurance claims and higher insurance premiums.

**Reputational** – Inevitably without the use of glyphosate weeds will be more prevalent, whilst this may be understandable to some others may not find this acceptable. Weeds trap litter and there is an increased risk of areas looking unkempt.

## 2.4 Environmental/Climate Change Impact

The current practice entails two annual trips to the sites listed in Appendix 1 and (sites with notifiable weeds) one trip annually to the sites in Appendix 2 (Parks, cemeteries and carparks). More manual options will require significantly more frequent trips to the sites in Appendix 2 in vehicles. 'Foamstream' requires more trips in a vehicle, an additional diesel engine and a significant amount of water.

From an energy and resource point of view, Glyphosate based treatments seem to be the most practical solution. It minimises the need for repeat site-visits, resulting in reduced transport emissions, requires little energy (electricity, diesel etc.) and water to administer when compared to the alternatives. The total droplet application method described in the report lends itself to a more targeted approach and will act to prevent any unintended impacts on native and non-nuisance plant species. The use of hot substances, flames and acids will have both short and long-term implications for native wildlife and should therefore be avoided.

Glyphosate inhibits functions specific to plants and so the substance has a lesser impact on insect and animal species, it has a relatively short half-life and is actively degraded/digested by micro-organisms, reducing its long-term impact on the environment.

## 3. OPTIONS

- Continue glyphosate use in a carefully managed and targeted way i.e. treat invasive notifiable weeds and hard surfaces and continue to seek alternatives to reduce use of glyphosate where we can.
- Treat invasive notifiable weeds only with glyphosate, accept a less tidy environment, do what we can by other means within budget.
- Invest more budget (need to identify what we will stop doing to pay for this) to maintain current standards and use other more expensive (and less effective) methods.

#### **4. CONCLUSION**

The use of Glyphosate in this setting is very small compared with agricultural use. The Councils use of Glyphosate has reduced substantially and there has been an ongoing effort to find effective alternatives. The current use is minimal, targeted and managed carefully.

The use of condensed droplet application CDA to make a safety improvement and trimmer mounted wire brushes in some areas are achievable within budget, and will reduce the glyphosate usage in parks and cemeteries by approximately a further 20%.

Alternative methods are less effective and more costly, increased weed will lead to additional financial costs in the mid to long-term.

## **Appendix A – Sites treated for Notifiable Weeds**

### **Ashburton**

Miners Close

### **Dawlish**

Brook Street Carpark

Newhay Field

Oaklands Park

Shutterton cycle plath

### **Newton Abbot**

Old Forde House Grounds

Forde Road Depot

Newton Abbot Cemetery

### **Shaldon**

Homeyards Botanical Gardens

The Ness

### **Teignmouth**

Broadmeadow Industrial Estate

Meadow Centre

Coombe Road

Second/Third Ave

## **Appendix B – Sites where annual Glyphosate spot treatment of weeds in hard surfaces takes place.**

### **Parks and Open Spaces**

#### **Ashburton**

Cleder place

Recreation Ground

#### **Dawlish**

Lea Mount

Earlies wall / Coryton Cove

Lawn (including mini golf and York Gardens)

Manor Gardens

Dawlish leisure centre (paths around buildings, all weather, Sandy lane car park area )

Newhay Field

Warren (promenade side walkway and outer car park

Marina Bowls club

#### **Kingsteignton**

Kingsley Park

#### **Newton Abbot**

Courtenay Park

Forde Park

Decoy Country Park (car park and around buildings)

Bakers Park (Inc. Tennis courts)

Forde house Inc. car parks)

Old Forde House (including old drives and chipping areas)

Powderham Park

Committee

Date of meeting

Newton Abbot Leisure Centre (paths and around buildings and car parking areas)  
Coach Road  
Manor Road park  
Osborne Park  
Sandford view  
Bradley lane (industrial units)  
Forde Road offices and depot perimeter / parking spaces

### **Shaldon**

Ness Drive and Gardens (Inc. car park)  
Homeyards Botanical gardens

### **Teignmouth**

The Den (promenade and open space paths)  
Lido  
Bowls club  
Broadmeadow sports centre  
Estuary Court

### **Cemeteries (paths and road edges)**

Newton Abbot Cemetery  
Kingsteignton Cemetery  
Teignmouth new and Old Cemetery  
Dawlish Cemetery

### **Car Parks**

#### **Ashburton**

Dolbeare Road  
Kingsbridge Lane

#### **Bishopsteignton**

Bishopsteignton  
Michaels Field

#### **Bovey Tracey**

Mary Street  
Methodist Church  
Station Road  
Teignbridge Business Centre Heathfield

#### **Chudleigh**

Town Hall

#### **Dawlish**

Barton Hill  
Dawlish Leisure Centre  
Dawlish Warren outer carpark  
Sandy Lane  
The Strand

#### **Exminster**

Victory Hall

#### **Kingkerswell**

Fore Street

Committee  
Date of meeting



**Kingsteignton**  
Gestrige Road

**Moretonhampstead**  
Court Street  
Station Road

**Newton Abbot**  
Bradley Lane  
Cattle Market  
Collett Way  
Cricketfeild  
Decoy Country Park  
Forde House  
Halcyon Road  
Multi Storey Car Park  
Newfoundland Way  
Newton Abbot Leisure Centre  
Osborne Street  
Venture Court  
Wain Lane  
Wolborough Way


**Shaldon**  
Labrador Bay  
The Ness

**Starcross**  
The Strand

**Teignmouth**  
Broadmeadow Leisure Centre  
Brunswick Street  
Eastcliffe  
Polly Steps  
Quay Road  
Teign Street  
The Point

**Widcombe**  
Widcombe-In-The Moor

## Appendix C – Foamstream Costs

Provision of latest Foamstream Machine with electric vehicle and two operatives March - October		idverde 	
	Annual Cost	Capital Cost	Note
<b>Vehicle and machinery</b>			
Electric Goupil G4 drop-side with 48v lead acid batteries, road registered and giving a range of 40-45 miles	£ 3,418	£ 23,925	As sumed vehicle life of 7 years
Foamstream L1200 model	£ 5,656	£ 19,795	As sumed 3.5 year life of machine
Financing	£ 1,366		
Fuel (Vehicle)	£ 950		
Fuel (Machine)	£ 2,660		
Maintenance	£ 2,000		
Insurance	£ 1,824		
Tax	£ -		
Tracker	£ 144		
<b>Consumable Costs</b>			
Foam	£ 8,000		Based on current usage
<b>Labour costs</b>			
Team Leader/Driver March - October: Basic	£ 14,000		Based on current (2019) pay rates
NI & P	£ 1,436		
Back-up Driver/Sweeper - March - October: Basic	£ 12,600		Based on current (2019) pay rates
NI & P	£ 1,200		
Uniforms	£ 400		
<b>Total Costs</b>	<b>£ 55,654</b>	<b>£ 43,720</b>	
idverde profit and overhead	£ 5,565		
<b>Total Annual Charge to Client</b>	<b>£ 61,219</b>		

**Appendix D APSE (Glasgow trials) - WEED CONTROL METHODS AND COSTS (Costs will require updating since the spread sheet was populated but are a useful comparison ).**

Product	Main Active Ingredient	Cost £ per 5ltr	Product cost per 10ltr tank mix	Product per 10ltr water	Application Rate: per Ha (ml)	£ per Ha	Treatment on					
							hard surface	soil	grass	riverbank	knotweed	
Finalsan Plus	Pelargonic acid/maleic hydrazide	£46.00	£15.33	1660ml	16600	£150.00	no	yes	yes	no	no	Can causes severe eye irritation. Finalsan does not possess a long-term effect, i.e. re-emergence of affected weeds may occur. Therefore, repeated applications in 2 to 4 week intervals are necessary during the course of one vegetation period. Dangerous to bees. To protect bees and pollinating insects do not apply to crop plants when in flower. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.
Katoun Gold	500 g/L fatty acid pelargonic acid	£125.00	£25.00	1125ml	22500	£562.50	no	yes	yes	no	no	Katoun® Gold is a non-selective contact herbicide for use on amenity vegetation (bare soil around trees and woody shrubs). A natural weed management solution. Dangerous to bees. To protect bees and pollinating insects do not apply to crop plants when in flower. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.
Newway	acetic acid in a soluble concentrate	£33.00	£16.00	2500ml	25000	£165.00	yes	no	no	no	no	Artificial Surfaces, Hard Surfaces. Dangerous to bees. To protect bees and pollinating insects do not apply to crop plants when in flower. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.
Paradise	Flazasulfuron	£53.00 per 50mg Granular product	£10.60	10grms	50mg	£53.00	no	yes	yes	no	no	Residual does not kill green plant tissue
Chikara	Flazasulfuron	£277.00 Granular product	£15.13	10grms	150grms	£227.00	no	yes	yes	no	no	Residual does not kill green plant tissue
Nomix Dual	Glyphosate & Sulfosulfuron	£165.00 pre mixed	na	na	9000	£300.00	yes	yes	yes	no	no	Residual kills all green plant tissue
Nomix Hilite	Glyphosate	£100.00 per mixed product	na	na	10000	£200.00	yes	yes	yes	no	no	kills all green plant tissue and roots
Roundup	Glyphosate	£46.00	£1.66	180ml	3500	£35.00	yes	yes	yes	yes	yes	kills all green plant tissue and roots
ICADE	Aminopyralid	£56.00	£8.48	150ml	4000	£224.00	no	yes	yes	no	yes	does not kill grass

System Name	Control method	Full Time Vehicle Required	Liquid Fuelled Generator Required	Herbicide Required	Additional Water required	Approx Cost	Pros	Cons
<b>Foamstream</b>	Hot water and foam	YES	YES	NO	YES	£25,450.00	Herbicide Free, kills moss and algae. Good PR. Unlimited applications per area.	Required high amount of fossil fuel to heat water, potential scalding via splashing to public, large vehicle to transport, large volumes of water. Liquid foam concentrate required £. Cannot fit into small spaces, could not be used to treat road side weeds around parked vehicles. Will not kill weed roots. High Noise volume output from generator
<b>Ubiquotec</b>	Electricity	YES	YES	NO	NO	£25,000.00	Herbicide Free, Good PR. Unlimited applications per area.	Requires earthing point for use, this ruling out many hard standing areas. Required high amount of fossil fuel to create electricity. Weeds/dry leaves/litter can catch fire during treatment, SERIOUS FIRE HAZARD. Does not kill weed roots. High Noise volume output from generator
<b>Weed it Infrared System</b>	Infrared sensors and Glyphosate	YES	NO	YES	NO	Not for sale. Owned by Complete Weed Control	Reduces the amount of used herbicide, pin-points weeds preventing over spraying.	Cannot be used on pedestrian foot paths legally.
<b>Oeliatec Hot Water</b>	Hot water	Part	NO	NO	YES	?	Small in size, self-powered, runs on Electricity? Ultra-quiet, requires small vehicle to transport.	Small water supply, will not kill weed roots, potential to cause scalding via splashing.
<b>Cardley Wave</b>	Hot water	YES	YES	NO	YES	£22,000.00	Hot water only, kills moss and algae, removed gum, and cleans hard surfaces.	Required high amount of fossil fuel to heat water, potential scalding via splashing to public, large vehicle to transport, large volumes of water. Cannot fit into small spaces, could not be used to treat road side weeds around parked vehicles. Will not kill weed roots. High Noise volume output from generator.
<b>Gas Powered Weed Burner</b>	Gas Flame/ Thermal heat	No	No	No	No	?	Quickly gives impression weeds are killed due to immediate visual of brown/yellowing of leaves and mosses.	Only burns leaves of weeds, perennial weeds will regrow. Flame could set fire other items e.g. dry plant material, dead leaves and twigs, paper etc.
	<b>Note the below have not been trialled</b>							
<b>WEEDGO</b>	Strimmer head attachment					£700	Clears hard surfaces of weed and moss, contain debris within head unit	Hand Arm Vibration Issues
<b>Red Dragon weed burner</b>						£99	Quickly gives impression weeds are killed due to immediate visual of brown/yellowing of leaves and mosses.	Only burns leaves of weeds, perennial weeds will regrow. Flame could set fire other items e.g. dry plant material, dead leaves and twigs, paper etc.