

PART I - DELEGATED

**6. CONTRACT WITH HCC – WEED SPRAYING (GLYPHOSATE)
(DCES)**

1. Summary

- 1.1 This report proposes that the District Council hands back the responsibility for killing highway weeds to the County Council as insufficient budget is allocated by HCC for effective treatments and the materials specified to be used – namely glyphosate – are no longer considered appropriate.

2. Details

Weed Control

- 2.1 It was agreed in March 2018 as part of a Highways Agency agreement that TRDC would undertake the treatment of common weeds across the district covering public pathways and kerb lines.
- 2.2 The arrangement commenced on the 1 April 2018 until further notice, with the arrangement being monitored by both parties and reviewed at the end of the last treatment.
- 2.3 Following the review at the end of the season either HCC or TRDC could terminate the arrangement with one month's written notice to terminate.
- 2.4 The agreed price was £21,525 per treatment and to carry out two treatments in year 2019 with the possibility of a third if needed, with an outgoing expenditure of £16,800 per treatment.

Glyphosate

- 2.5 The majority of Councils continue to use weed killers containing glyphosate. However there are an increasing number of Councils that are either reviewing its use or are no longer using it. Examples of Councils that do not use glyphosate are Hammersmith & Fulham, Lewes, Ryedale, Sevenoaks and Southampton. There is a concern that Glyphosate is carcinogenic which has created concern within the UK.
- 2.6 With respect to the Council's grounds maintenance activities, the Council remove weeds from paths at the likes of Aquadrome and Leavesden Country Park with non-chemicals, using shovels or strimmers. The exception to this is Japanese Knotweed or other invasive species, where there are currently no effective mechanical techniques available. In such cases Glyphosate is used by spraying the leaves.
- 2.7 TRDC have received some concerns from Members over the use of Glyphosate. The agreement with HCC specifies that a Glyphosate based herbicide is used. It should be noted that the Council has looked for alternatives with no success.

3. Options/Reasons for Recommendation

- 3.1 This report proposes that the District Council immediately hands back the responsibility for killing highway weeds to the County Council as the current budget allocation is insufficient for a fully effective service and use of glyphosate is no longer considered appropriate.

4. Policy/Budget Reference and Implications

4.1 There are budget implications to this recommendation.

5. Financial Implications

5.1 The net income (after deducting contracting costs) for 2018/19 was £18,950. No budget provision has been made in 2019/20 as at the time of setting budgets, there was no guarantee that this arrangement would continue. However, the Council has undertaken two weed killing processes in the current year and the net income received was £11,600. Depending on the decision of the Committee any additional income will be reported in the next (Period 6) budget management report.

6. Legal Implications

6.1 The Highways Interim Agreement with HCC concluded in 2018 covered the matter of weed control on highways within the District. It provides that the weed control element (specifically) can be terminated by the giving of one month's written notice.

6.2 HCC as the land owner in respect of highways is responsible under the Weeds Act 1959 for the clearance of 'Injurious Weeds'.

7. Equal Opportunities Implications

7.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No
It is not considered necessary for this function.	

8. Staffing Implications

8.1 None as this function is outsourced.

9. Environmental Implications

9.1 None specific as function will be returned to HCC. However, depending on how HCC deliver the function going forward there is the potential for a deterioration of service.

10. Community Safety Implications

10.1 None specific.

11. Public Health Implications

11.1 None specific.

12. Communication and Website Implications

12.1 The District Council's responsibilities for highway weed control will be set out on the website, under *Transport and Streets*, whether or not a decision is taken to take this on.

13. Customer Services Centre Implications

13.1 This is expected to be minimal as most customer contact relating to the weed control would be likely to be directed to HCC.

14. Risk Management and Health & Safety Implications

- 14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 14.2 The subject of this report is covered by the Environmental Protection service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
More complaints to TRDC with deterioration of service	Potential reputational risk to Council	Close monitoring of complaints and liaison with HCC	Tolerate	6

- 14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ----- Likelihood ----- Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
Impact Low -----> Unacceptable				

Impact Score

4 (Catastrophic)

3 (Critical)

2 (Significant)

Likelihood Score

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Marginal)

1 (Remote ($\leq 5\%$))

14.4 In the officers' opinion, none of the new risks above were they to come about would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of treatment plans are reviewed by the Audit Committee annually.

15. Recommendation

15.1 That the Committee agree to transfer the responsibility for killing highway weeds back to the County Council from the District Council, with immediate effect.

15.2 That HCC be requested to cease the use of glyphosate within Three Rivers District.

15.3 That any additional income to be reported in the next (Period 6) budget management report to the Policy and Resources Committee.

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Data Quality

Data sources: None.

1	Poor	
2	Sufficient	X
3	High	

Background Papers

PROPOSED ADDITIONS TO HIGHWAY AGENCY AGREEMENTS REPORT - GENERAL PUBLIC SERVICES AND COMMUNITY SAFETY COMMITTEE (8 MARCH 2018)

HIGHWAYS WEEDSPRAYING REPORT - GENERAL PUBLIC SERVICES AND COMMUNITY SAFETY COMMITTEE (12 NOVEMBER 2015)