

BY SUBMITTING THIS REPORT TO THE CABINET OFFICE, I, (NEIL HANRATTY) (DIRECTOR OF ECONOMIC DEVELOPMENT) AM CONFIRMING THAT THE RELEVANT CABINET MEMBER(S) ARE BRIEFED ON THIS REPORT

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

CABINET MEETING: 19 JANUARY 2023

WEED CONTROL TRIAL

CULTURE, PARKS & EVENTS (COUNCILLOR JENNIFER BURKE-DAVIES) & TRANSPORT AND STRATEGIC PLANNING (COUNCILLOR DAN DE'ATH)

AGENDA ITEM:

Reason for this Report

1. To report back to Cabinet on the outcomes from the Weed Control Trial and to agree the approach to the future use of glyphosate based products within the public realm.

Background

2. Through its Duty of Care responsibilities, the Council implements weed control regimes in the public realm as uncontrolled growth can, over time, result in risks including trip hazards to pedestrians, visibility hazards to road users and the erosion of and damage to hard infrastructure.
3. In addition to potential litigation the presence of uncontrolled weeds can also impact significantly on the look and feel of place and appropriate management regimes are essential from a wider economic perspective.
4. The Council has a well-established integrated approach to weed management across its landholdings using multiple control methods including, hand weeding, hoeing, forking, mulching, hand and mechanical sweeping, and the application of approved herbicides.

5. Where there are no viable alternatives to control, the Council applies glyphosate based products, the predominate use being for the control of weeds on hard surfaces. Under current arrangements three treatments are made annually, throughout the growing season to provide sufficient control.
6. Glyphosate is a systemic herbicide which enters the foliage and works its way through to the root killing the entire plant. Glyphosate is approved for use in the public realm in the United Kingdom, by the Chemicals Regulations Division of the Health and Safety Executive. The licence for the use of glyphosate in the United Kingdom extends to the 15th December 2025. No hazard warnings are contained on the product label.
7. The scale of pavement weed control is significant with the Council's responsibilities extending over a length excess of 2,000 kilometres. The Council is also responsible for the control of weed on hard surfaces across other Council land holdings including parks and housing land.
8. The application of herbicides within the public realm is delivered, under contract and through the Council's weed control partner, Complete Weed Control (South & Central Wales) Ltd.
9. Where glyphosate based products are used, the herbicide is applied at minimum quantity through the targeting of plant chlorophyll detected by precision sensors fitted to the application machines. The quantity of herbicide used is further reduced by the inclusion of spray additives which support efficacy. Precision targeting and the use of spray additives allows dilution rates lower than manufacturers recommendations.
10. In September 2019, the Environmental Scrutiny Committee published a report titled Managing Biodiversity & Natural Environment in Cardiff. The report contained forty recommendations one of which centred around the use of glyphosate based products for the purposes of weed control throughout the city, the report is attached as a background paper.
11. In response to the Committees recommendations concerning the use of alternative weed control products, and through a Cabinet report in November 2020 it was determined that a trial utilising such should take place and a budget allocation was made through the financial resilience mechanism for 2021/22. The Cabinet report and relevant appendix is attached as a background paper.

Issues

12. The Council undertook a trial, focusing on pavement weed control which commenced in the Spring of 2021 and commissioned an independent assessment of the process and outcomes through Advanced Invasives Ltd, a leading invasive plant consultancy in the United Kingdom. Complete Weed Control (South & Central Wales) Ltd, the Council's weed control partner carried out the control methods.

13. The trial sought to measure the cost, environmental, customer and quality factors associated with the use of the alternative products trialled, along with the standard glyphosate based product used. A full life cycle analysis exercise was also undertaken quantifying the use of water and fuel.
14. The two alternative products used were, acetic acid within the Riverside ward and hot foam within the Pontprennau & Old St. Mellons ward. The Penylan ward was used as a reference ward where the standard regime using a glyphosate based product was applied.
15. The table below summarises the outcomes from the trial measured against the four key criteria.

Control Method	Cost	Environmental	Customer	Quality
Glyphosate	Low	Low	High	High
Acetic Acid	Medium	Medium	Low	Low
Hot Foam	High	High	High	High

16. The trial concluded that, based on the key criteria, the glyphosate based product used provided the most effective and sustainable weed control. hot foam was proven to be effective but unsustainable, with acetic acid ineffective and unsustainable. The final project report is attached at Appendix A.
17. In terms of cost factors and based on operational experience and outcomes from the trial it is estimated that the cost of utilising acetic acid on pavement surfaces, when compared with the use of glyphosate based products would result in a rise of 667% from £196,020 to £1,306,800. With regard to the utilisation of hot foam it is estimated that costs would rise to £1,960,200 an increase of 1000%.
18. The manufacturers of all products used in the trial were invited to comment on a draft Trial Report, responses were received from two manufacturers and updates were made to the report, and comments noted as a consequence.
19. The report cites trials undertaken by other organisations, over time, of a small scale and short-term nature and where controls are not directly compared. The Cardiff Trial is the most comprehensive scientific evidence led trial undertaken by a local authority in the United Kingdom,

on a large scale, considering long term outcomes with direct control comparisons.

20. Non-herbicide weed control is undertaken through our network of friends of groups and volunteers, both in parks and the wider public realm, under the supervision of the Council and through robust risk assessments. This approach helps to improve environmental quality while also engendering a sense of ownership within the local community.
21. The Council is committed to reducing the area(s) of land over which herbicides are used which will, in turn have an impact on reducing the volume of glyphosate based products used. The volumes of herbicide used will however fluctuate based on factors that include climatic conditions, infrastructure condition and mechanical and non-mechanical sweeping regimes.
22. In its 2019 report the Environmental Scrutiny Committee also recommended that the Council publishes details of herbicide use, this recommendation was implemented on the close of the 2020 season and an annual update is provided.
23. The Council continually monitors research and product development relating to weed control, and shares information with Greenspace Wales, the Parks Core Cities Group, the Association of Public Service Excellence and Amenity Forum, in order to inform practice.
24. The most recent information note relating to glyphosate was published by Welsh Government in August 2018. The note sets out the policy position for Welsh Government, the regulatory requirements for its use, the benefits of appropriate use and the importance of best practice and research, citing the important role undertaken by the Amenity Forum. The information note can be found at Appendix B.
25. In August 2022, the Amenity Forum, the United Kingdom's lead industry body representing the amenity sector promoting best practice principles in the use of products to control weeds, pests and diseases published an update on the use of glyphosate. Safety concerns generated by the International Agency for Research on Cancer who in 2015 classified glyphosate as carcinogenic are challenged by the Forum. The Forum contends that decisions made by global and regulatory research agencies, over time, render the IARC assessment as flawed. The update can be found at Appendix C.
26. The most recent briefing by the Association of Public Service Excellence, Glyphosate - Where Do Local Authorities Stand ? was published in 2019. The briefing, which is attached at Appendix D, sets out the key issues faced by local authorities, but is inconclusive.

Local Member consultation

27. Briefings were held with local ward members in wards where alternative products were used, on a pre and post trial basis.

Reason for Recommendations

28. To determine the most appropriate herbicide for use by the Council as part of its integrated approach to weed management, taking into account, cost, environmental customer and quality criteria.

Financial Implications

29. This report recommends the continuation of the current weed control management approach and does not identify any additional funding requirements. The ongoing processes and related costs will be managed within existing budgets.

Legal Implications (including Equality Impact Assessment where appropriate)

30. The legal implications arising from the matters raised in this report are highlighted in the body of and appendices to this report. Appendix D, in particular refers in more detail to the position for local authorities' use of weed control products. Specific legal advice should be sought on any individual matters on a case by case basis that may arise from use of such products.

Equalities & Welsh Language

In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a) Age (b) Gender reassignment (c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f) Pregnancy and maternity, (g) Marriage and civil partnership, (h) Sexual orientation (i) Religion or belief –including lack of belief.

When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers ([WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)) and must be able to demonstrate how it has discharged its duty.

An Equalities Impact Assessment aims to identify the equalities implications of the proposed decision, including inequalities arising from socio-economic disadvantage.

The decision maker should be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

The Well-being of Future Generations (Wales) Act 2015

The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving seven national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2020 -23.

When exercising its functions, the Council is required to take all reasonable steps to meet its wellbeing objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the wellbeing objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

The wellbeing duty also requires the Council to act in accordance with a 'sustainable development principle.' This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the seven national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible on line using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

HR Implications

31. The recommendations contained in this report have no HR implications.

Property Implications

32. There are no further specific property implications in respect of the Weed Control Trial Report. Where there are any further trails or treatment works to take place on council owned or occupied land, where appropriate, the Estates Department asset management team should be consulted beforehand to consider any estate management issues.

RECOMMENDATIONS

Cabinet is recommended to

1. Note the content of this report and the content of the Weed Control Trial 2021 - Final Project Report.
2. Continue with the current approach of integrated weed control management and use of glyphosate based products.
3. Continue to take measures to reduce the use of the glyphosate based products on all Council landholdings, employing alternative control measures as appropriate.
4. Continue to monitor product development for the purposes of weed control within the public realm and consider for future use based on environmental, quality, cost and criteria.
5. Continue to support the role and work of Friends of Groups and volunteers in the management of weeds throughout the city.

SENIOR RESPONSIBLE OFFICER	Neil Hanratty Director for Economic Development
	15 December 2022

The following appendices are attached:

Appendix A - Weed Control Trial 2021 - Final Project Report

Appendix B - Welsh Government Information Note – August 2018

Appendix C - Amenity Forum Glyphosate Update - August 2022

*Appendix D - APSE Briefing - Glyphosate - Where Do Local Authorities Stand ?
- 2019*

The following background papers have been taken into account

Managing Biodiversity and Environment in Cardiff Summary Report – Environmental Scrutiny Committee, September 2019

Cabinet Response to Environmental Scrutiny Committee - Managing Biodiversity & Natural Environment in Cardiff, 19th November 2020 & Appendix 1.

DRAFT