

Glyphosate Weed Killer

Report by Kevin Anderson, Executive Director – Place

1 Recommendation

Council is recommended to:

- i. approve the use of glyphosate on a restricted spot application basis, as on Midlothian's streets and pavements; and
- ii. agree the continued reduction in usage in Midlothian's parks and open spaces; with the exception of invasive species, e.g. Giant Hogweed and Japanese Knotweed.

2 Purpose of Report

Following cross party agreement by Group Leaders on 5th May 2020 to permit the use of glyphosate on an emergency basis during the Covid pandemic; this report is to recommend approval of its continued, but limited, use.

Revert to use of glyphosate with a commitment to continue reducing average annual usage of glyphosate and a commitment to increasing pollinator habitats.

- Reducing usage annually in line with the Council Bio Diversity Action plan
- Reducing usage annually by adhering to Scottish Government guidance to avoid blanket treatment with Glyphosate e.g. move to spot treatments
- Reducing usage annually by reducing the amount of grass edges treated e.g. spray edges where required at walls and fence lines but cease treating grass edges at kerb lines (some additional strimming will be undertaken)
- Introduce a system to allow community groups to adopt areas that will not be weed killed.
- Create pollinator habitats annually in our larger open spaces and encourage community groups to adopt these.
- Avoid undertaking first spray of grass edges until late May to allow Bees and other pollinators to feed on Dandelions etc.
- Continuing to trial alternative weed control methods and products.

Date: 5 March 2021

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2 Background

- 2.1** On 25th June 2019, Midlothian Council determined that glyphosate would be prohibited from use on Council owned land, with the exception of invasive species. This followed an initial moratorium on glyphosate use agreed by Council in May 2019 due to concerns for the environmental impact on bees.

On 5th May 2020, there was cross party agreement to permit the use of glyphosate on an emergency basis during the pandemic.

On 18th February 2021, a cross party meeting was held to discuss the use of glyphosate and the practical alternatives as due to the restrictions on workforce and working practices during the pandemic, significantly less quantities of glyphosate were used in 2020 compared to previous years.

The Scottish Government arranged a seminar on the use of glyphosate and other herbicides for Amenity managers on the 4th of February 2020, at which Midlothian was represented. The main message from this meeting was to avoid the blanket application of glyphosate.

Legally enforceable conditions of use are imposed on the way products can be applied to ensure the public are not exposed to levels of pesticides that would harm health or have unacceptable effects on the environment. It is important that users (or those who cause or permit others to use pesticides) not only comply with the authorised conditions of use but also use products in a responsible and sustainable fashion. The responsible use of pesticides in amenity areas as part of an integrated programme of control can help deliver substantial benefits for society. These include: management of conservation areas, invasive species and flood risks; access to high quality sporting facilities; and safe public spaces (for example, by preventing weed growth on hard surfaces creating trip hazards), industrial sites and transport infrastructure.

The risks associated with the use of pesticides in amenity areas such as parks are specifically considered as part of the authorisation process.

The weed killer products that the Council previously used may have varied however the main chemical used was glyphosate. This is not a poison but a trans-locative herbicide, which is a hormone weed killer. Glyphosate kills the roots as well as the foliage of the plant by translocation. (The movement of materials from leaves to other tissues throughout the plant)

The Council utilised products with a low hazard rating. The contractor we employed for streets and pavements also used a glyphosate with a low hazard rating.

The Scottish Government arranged a seminar on the use of glyphosate and other herbicides for Amenity managers on the 4th of February

2020, at which Midlothian was represented. The main message from this meeting was to avoid the blanket application of glyphosate.

Highland Council prohibited the use of weed killing products containing glyphosate in June 2019.

Edinburgh Council have restricted the use of glyphosate however they still use it to treat streets and pavement.

West Lothian continue to utilise glyphosate and trial alternatives.

East Lothian continue to utilise glyphosate.

Midlothian's Land and Countryside service has been trialling non-herbicide alternatives to the use of glyphosate on Midlothian's streets and pavements.

This has predominantly involved using brushes that can be fitted to existing grass cutting equipment and standalone brushing units.

3 Concerns Raised over bees

A study in 2019 published in a reputable journal finds that Monsanto's global weed killer harms honey bees. The paper 'Glyphosate perturbs the gut microbiota of honey bees' reports that bees fed glyphosate at concentrations chosen to mimic environmental levels lose beneficial gut bacteria, which then leaves them vulnerable to deadly infections. Glyphosate is now facing fresh demands for a ban based on this new research.

This is 1 study out of 800 studies that have been undertaken, and the suggestion is that this new study is flawed and fails to address whether changes observed in the bees gut microbiome play any part in its health or that glyphosate is responsible for anything at all.

<https://www.pnas.org/content/115/41/10305>

The conclusion reached from the science and evidence by regulatory bodies around the world, including the EU's two leading regulatory bodies – the European Food Safety Authority (EFSA) and the European Chemicals Agency (ECHA), is that glyphosate is safe when used correctly.

4 Report Implications

4.1 Resource

Spend on weed control based on two glyphosate applications is approximately £113,000 per annum (£38k streets and pavements, £75k Landscape Areas).

A considerable price increase was realised in 2020 when this contract was retendered. Land and Countryside determined accurately that 513 km of road and 187 km of paths and pavements were to be treated.

The rate charged reduced from £32.00 a km to £27.00 a km. However, the km of roads to be treated extended by more than 80% from the previous tender and the paths were defined for the first time. The price for a treatment was £18,900, where previously it was approx. £11,000.

4.2 Risk

A ban on the use of glyphosate will risk current grounds maintenance contracts income for our Landscaping Services, amounting to £240K and a further potential income of approximately 300k of landscape project work that could be put at risk from developers contracting Midlothian's Landscaping Services.

There is a risk that banning the use of glyphosate when the weight of scientific evidence and the guidance from National and International bodies suggest the product is safe to use may bring the Council into disrepute.

Many residents are concerned over the use of herbicides and wish to see use restricted and for Council policy to reflect this.

With current resources, the standards of maintenance of shrub beds, grass edges and streets and pavements across Midlothian will deteriorate without the use of glyphosate. The new maintenance regime suggested will generally result in more weed growth being evident than in previous years.

Key Issues:

- Following the publication of a report from the International Agency for Research on Cancer (IARC) in 2015 which found that glyphosate was "a probable human carcinogen", there has been a great deal of debate across the world as to whether the herbicides which include glyphosate are safe to use.
- This debate has been heightened by recent court rulings in the United States which have awarded multi-million dollar damages to citizens who have claimed continued use of glyphosate has caused them to develop cancer.
- National agencies across the world have declared glyphosate to be safe to use, suggesting it poses no threat. However some countries have now decided to ban glyphosate or severely curtail its use.
- Regarding the UK, it continues to say glyphosate based products are safe to use, but local authorities now find themselves caught between legal advice and the moral question of knowing there have been successful claims that glyphosate has caused cancers.

Issues arising from weed killer application in 2020 were as follows;

- Concerns raised by residents over control of weeds/wild flowers on the streets and pavements

- Poor control of weeds in some streets and pavements i.e. established weeds
- Concern for pets when grass edges were treated in housing areas. (Residents expressed the view that they wanted us to strim and trim instead)

4.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☒ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

4.4 Key Priorities within the Single Midlothian Plan

This report does not impact on the key priorities within the Single Midlothian Plan.

4.5 Impact on Performance and Outcomes

The report directly impacts on Midlothian Council's performance and outcomes. Failure to re-instate Glyphosate usage or fund alternative methods of maintenance will result in the aesthetics of Midlothian looking very poor and effect community safety and wellbeing.

4.6 Adopting a Preventative Approach

The report highlights the need for a preventative approach to stop the degradation of infrastructure and the removal of slip and trip hazards resulting in claims costs for the Council in the long term.

4.7 Involving Communities and Other Stakeholders

The lack of maintenance in 2019 resulted in volunteer gardening groups taking on some maintenance tasks and some cemetery visitors hand weeding around their family headstones. In 2020, there have been activities carried out by local groups in Dalkeith (Guerrilla Gardeners) Bonnyrigg, Woodburn and Penicuik.

Issues arising from the lack of weed control due to the prohibition of glyphosate use in 2019 were as follows:

- Increase in complaints and enquiries received particularly in relation to streets and pavements
- Accidents (slips and trips) caused by weed growth
- Damage to infrastructure
- Major deterioration of the visual aesthetics of Midlothian amenity space

- Relatives concerns expressed over the weed growth in cemeteries, which has been regarded as a lack of respect.

In 2018, between 16/7/2018 and the 16/8/2018, the Land and Countryside service registered 31 enquiries/complaints related to weeds. (Two herbicide treatments of all areas were undertaken in 2018)

In 2019, between 19/7/2019 and 19/8/2019, the Land and Countryside service registered 75 enquiries/complaints related to weeds. (No weed kill of streets and pavements was undertaken in 2019 and shrub and grass areas were only treated once)

In 2020, between 19/7/2020 and 19/8/2020, the Land and Countryside service registered 48 enquiries/complaints related to weeds. (One treatment of most areas undertaken)

Generally, in 2019, most of the complaints were concerning weed growth. In 2020, there were complaints over weed growth and also complaints when weed killing was carried out. Residents from several areas have highlighted that they would prefer grass edges trimmed rather than weed killed. Residents often raising concerns for children, pets and wildlife when grass edges are treated with weed killer adjacent to their properties or near schools.

5.8 Ensuring Equalities

The frail, the very young, elderly and those with a disability can be impacted by a lack of weed maintenance of our streets and pavements as there have been associated reports of slips and trips becoming more common place.

5.9 Supporting Sustainable Development

Weeds need to be removed to stop damage to infrastructure, to avoid trip hazards for residents and maintain the aesthetics of Midlothian. Failure to ensure this maintenance is carried out is not sustainable in the long term.

5.10 IT Issues

There are no IT issues arising from this report.

Appendix 1.

The Glyphosate product

Information sourced from the Health & Safety Executive details that Glyphosate is the active substance in many herbicides (weed killers) and is widely used around the world. It is a non-selective, systemic herbicide/weed killer and was first used in the UK in 1976.

Since it is approved for use in many countries, it has been subject to extensive testing and regulatory assessment in the EU, USA and elsewhere and by the World Health Organisation

Glyphosate is currently approved for use as a herbicide (weed killer) in the EU. Approval was granted in 2002, based on a review of mammalian toxicology, ecotoxicology and other data. Further detailed information about the EU regulatory process with respect to Glyphosate can be found on the Official Journal of the European Union 

The UK Government considers that the regulatory process for authorising plant protection products is a robust system. The authorisation process takes into account all scientific knowledge available.

All products which contain glyphosate must be individually authorised in 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.

Glyphosate applications

Reverting to the previous working practices, with planned limited use. Alternatives to the use of glyphosate herbicide are limited and there is no suitable alternative. Most other weed killers have been withdrawn from the market as they are less environmentally friendly.

Alternatives to glyphosate, which we are aware of, are more likely to be hazardous to wildlife and particularly bees foraging on weeds. They are also far less effective and more expensive. Hot water, Foam, steam procedures are all lethal to bees and the chemical alternatives to glyphosate all also have a bee warning on the labelling.

The Land and Countryside service has halved the usage of Herbicides over the past 5 years (mainly glyphosate). The advice is to keep pets and children off treated areas during the drying time (e.g. about ten

minutes after it has been sprayed). In fact the adjuvant (chemical carrier) in the weed killer is the most likely to affect dogs and this would only be in the period when it is still wet.

In 2020, applications to grass edges were reduced in frequency and many edges were left untreated, reducing herbicide usage further.

The Land and Countryside service has been trialling non-herbicide alternatives to the use of glyphosate on Midlothian's streets and pavements. This has predominantly involved using brushes that can be fitted to existing grass cutting equipment and standalone brushing units.

Usage by other organisations

Highland Council prohibited the use of weed killing products containing glyphosate in June 2019.

Edinburgh Council have restricted the use of glyphosate however they still use it to treat streets and pavement.

West Lothian continue to utilise glyphosate and trial alternatives.

East Lothian continue to utilise glyphosate.