



OVERVIEW AND SCRUTINY BOARD

8 FEBRUARY 2011

FINAL REPORT OF THE ENVIRONMENT SCRUTINY PANEL - WEED CONTROL

PURPOSE OF THE REPORT

1. To present the Environment Scrutiny Panel's findings, conclusions and recommendations following its investigation of the topic of weed control in Middlesbrough.

INTRODUCTION AND BACKGROUND

2. The panel investigated this issue as a 'short topic' over the course of one meeting, held on 16 December 2010. A second meeting was held on 7 January 2010 to consider a draft final report. A Scrutiny Support Officer from Legal and Democratic Services co-ordinated and arranged the submission of written and oral evidence and arranged witnesses for the review. Meetings administration, including preparation of agenda and minutes, was undertaken by a Governance Officer from Legal and Democratic Services.
3. A record of discussions at panel meetings, including agenda, minutes and reports, is available from the Council's Committee Management System (COMMIS), which can be accessed via the Council's website at www.middlesbrough.gov.uk.
4. This report has been compiled on the basis of information submitted by Officers from the Council's Streetscene service to the scrutiny panel. A Scrutiny Support Officer from Legal and Democratic Services co-ordinated and arranged the submission of written and oral evidence and arranged witnesses for the review. Meetings administration, including preparation of agenda and minutes, was undertaken by a Governance Officer from Legal and Democratic Services. Copies of papers considered by the scrutiny panel, including agenda, minutes and reports, are available from the Council's Committee Management System (COMMIS), which can be accessed via the Council's website at www.middlesbrough.gov.uk.

5. The membership of the scrutiny panel was as follows: Councillors Kerr (Chair); Carter (Vice-Chair), Clark, Davison, C Hobson, Hubbard, Lancaster, McPartland and Michna.

THE SCRUTINY PANEL'S FINDINGS

6. Weeds are treated by the Council because, if left, they can create hazards on footpaths, cause structural damage to the highway, affect drainage systems or can appear unsightly on areas of hardstanding or among planted beds. As such, weeds can be a source of public complaint.
7. The scrutiny panel's findings are set out below in respect of current and previous weed treatment arrangements and relate to:
 - The differing types of chemical weed treatment.
 - Previous and current operational arrangements.
 - Future operations.

Types of chemical weed treatment

8. Historically, there have been two main types of chemical weed treatment used by local authorities, namely:
 - **Residual weed killers** - These are applied to a wide area (eg pavements, verges and areas of hardstanding) *in advance* of weed growth. They work by remaining in the soil and killing all plant growth by preventing seed germination.
 - **Contact weed killers** - These are applied *in response* to weed growth ie by being sprayed on existing weeds. They work by being absorbed by the leaves, thereby killing the plant.
9. Until the late 1990s, various residual herbicides were applied in Middlesbrough depending on the type of weeds present and the varying ground/hard surfaces, typically during the winter period. This was found to provide up to six months weed control, with a top up spray of contact herbicides then being applied to weeds that grew throughout the summer.
10. In more recent years it was ascertained that, nationally, decades of use of residual weed killers - which by their nature are highly toxic - had led to a build up of these chemicals in rivers and watercourses, with the potential that they could make their way into drinking water supplies. The majority of the chemicals concerned were found to come from agricultural use. As a result, European Union (EU) rules and legislative changes in the UK meant that residual herbicides were withdrawn, leaving local authorities with the option of using only contact treatments.
11. This has effectively meant that, unlike when residual herbicides were used to prevent weed growth from taking place, weeds can now only be sprayed once they grow. Treatment is therefore generally carried out around May/June each year, once leaves have formed. The procedure is normally then repeated during the early autumn. The obvious effect of this change is that weed growth is generally much more visible - in that until they are treated they can appear unsightly and, once they are treated, and unless they are then removed, they can still appear unsightly as they wither and die.

12. A further issue associated with the use of current contact herbicides is that that are also weaker than the solutions which were allowed to be used previously. In addition, depending on when an area is scheduled to be treated, weeds could be reported but could then take two to three months to be sprayed - ie when the area is next treated. These issues have further exacerbated the problems associated with unsightly weeds.

Previous and current operational arrangements

13. Throughout the 1990s, weed control was carried out by external contractors. In 2001/02 weed spraying returned to the Council (Horticultural Services) and was principally carried out using knapsacks and chemical droplet applicators.
14. In approximately 2004/05, after the Streetscene review was carried out, weed spraying was transferred to the Highways Maintenance section, using two quad bikes and hand held equipment. However, this proved not to be successful and was transferred back to Horticultural Services around 2005/06. This was then resourced using four quad bikes, with one machine in each of the areas served by Area Care. Chemical applications took three months for one pass, with three applications scheduled each season. At that time, following complaints from Council Members and the public - who considered that the time scale of three months for one pass was unacceptable - Horticultural Services began to look for other options to cover the areas to be treated more quickly.
15. As a result, in early 2009 it was identified that a Tees Valley-wide weed control contractor was being used by adjacent local authorities and which Middlesbrough Council could buy into. Following discussions on contract arrangements and performance satisfaction, it was decided that the Council would buy into this contract. On speaking with the contractor involved, it was found that they would be able to flood the areas with staff and quad bikes and undertake one weed spraying pass in under a month. It had therefore been agreed to allow Middlesbrough's weed spraying to be undertaken by the contractor, with arrangements initially working well.
16. In 2010/11 the original contractor was bought out by a bigger company, which took over the weed spraying contract. Around that time, the police raised questions about the legality of using quad bikes for weed spraying. These related to safety concerns because of the need to remove one hand from the handlebars to operate spraying equipment. As a result, the new contractor did not use quad bikes and all areas were sprayed by hand using chemical droplet applicators. This arrangement raised complications and queries in the standards provided and resulted in the Council withdrawing from the contract after the second application of the season. It has also been ascertained that neighbouring authorities have also withdrawn from the contract due to declining standards.
17. At the time of the scrutiny panel's discussions (December 2010) it was indicated that it was intended that, weather permitting, the Council would make a third application of contact herbicide.

Future operations and associated issues

18. The panel was further advised that it is intended that the Council will undertake future weed spraying in-house and is currently looking at available options. Frequency of weed spraying usually averages three applications per growing season.

19. Discussions are also ongoing with other local authorities and suppliers in respect of training, hiring of quad bikes and chemical supply. In terms of the legality issue concerning quad bikes, it has been ascertained that modified bikes are now available that permit hands-free weed treatment and thereby satisfy police requirements. Middlesbrough Council is to evaluate the effectiveness of these quad bikes with a view to their possible future use.
20. The main reason for the control of weeds on hardstanding and shrub beds is aesthetic. Generally, any small weeds that are treated are left to die off and disintegrate naturally through weathering and/or footfall. As such, the question of tolerance needs to be looked at for each site - in other words, does a path or shrub bed need to be 100% weed free? In response to questions from Members, the scrutiny panel was informed that areas such as flower beds at the Cenotaph and town centre shopping streets are generally regarded as the types of areas that should be weed free at all times. In such cases, a further question is then raised - what method of weed control is required, i.e. strimming or manual weeding?
- a) **Strimming** - Nylon corded trimmers can be used to remove weeds from hard standing. Trimmers are particularly effective on annual weeds or in areas where weeds can be tolerated to a height limit. They can also be used to trim larger, unsightly, weeds close to the ground. Although trimmers are very effective and quick, they are noisy and their use in public places needs to be carefully considered. Trimmers are generally not used for weeding beds as they can throw up stones, which can be dangerous.
 - b) **Manual weeding** - This is still the only effective way of removing weeds from certain situations without causing any damage to surrounding plants. However, it is expensive because it is very labour intensive and it can also be hazardous in areas where sharps are found.
21. During the scrutiny panel's discussions, reference was made to the possibility of seeking public involvement in this issue. It was considered that, in some cases there may be a public expectation that the local authority will take full responsibility for maintaining high standards of cleanliness of the local environment. While the Council does have an obvious responsibility, it is noted that some householders take pride in their area and do ensure that areas of pavement and highway adjacent to their property are kept clean and weed free. It was suggested that this should be encouraged and supported.
22. The panel also questioned the links between weed control and the Area Care cleaning regime, particularly whether mechanical sweepers are used in all wards to pick up detritus and dead weeds. In response, it was explained that each Area Care Manager will aim to clean to a set standard and that this will involve use of whatever resources are required. As different areas will receive different levels of care, depending on need, this may not necessarily include the use of mechanised sweepers. It is also noted that, despite the fact that there may be more weeds, the relevant performance indicator continues to show that Middlesbrough's streets are now cleaner than ever before.

23. A final issue that was highlighted is Middlesbrough Council's current difficult financial position. Officers indicated that this will undoubtedly impact on the resources which Streetscene is able to devote to issues such as weed control in the future. In this context it was noted that Community Payback labour has been used previously and could possibly be used to assist in the future.

CONCLUSIONS

24. Having considered the submitted information, the Environment Scrutiny Panel reached the following conclusions:
1. A clean and tidy environment is generally regarded as an important issue by the public, with the Council being considered as key in ensuring that this is maintained. As such, the appearance of weeds - irrespective of whether a street or area may otherwise be clean - is seen as detracting from the environment and is an issue that can cause complaint.
 2. The scrutiny panel welcomes any steps that are taken to reduce harm to the environment and supports the changes that have been made to prohibit the use of residual weedkillers and prevent them from being a source of water contamination.
 3. An important issue following 2. above is that changes in the types of chemical weed treatment available to local authorities (ie from the use of preventative residual weedkillers to reactive contact weedkillers) have resulted in, and will continue to result in, an increased prevalence of weeds as they can now only be treated once they appear. Until more effective and environmentally friendly alternatives are developed to residual weedkillers - which were previously used in treating areas prior to weed growth - the local environment will have more weeds and weed control is likely to become a bigger concern for all local authorities. However, unlike in some other areas where the Council can exert influence (for example educating the public in litter disposal), the authority has very limited control in terms of weed growth and must provide a reactive service.
 4. The scrutiny panel considers that the public, and also elected Members, should be made more aware of the points highlighted above concerning an increase in weed growth - essentially that the authority is doing all it can within difficult constraints. Also, the Council is likely to be severely restricted in terms of the resources that it will be able to devote to all services in future. Given these points, there may also be an opportunity to encourage public involvement in maintaining the appearance of their local area, thereby assisting the local authority.
 5. Streetscene/Area Care does endeavour to ensure that high profile areas are kept as weed-free as possible. However, the most effective method of weed control is manual weeding, which is also the most labour intensive and most expensive. Given the constraints outlined above in respect of chemical use, and the Council's current financial position, careful consideration will need to be given as to how this can continue to be achieved, for example by assessing whether increased strimming could be used instead of chemical weedkillers.

RECOMMENDATIONS

25. Following the submitted evidence, and based on the conclusions above, the scrutiny panel's recommendations for consideration by the Overview and Scrutiny board and the Executive are as follows:
1. That steps are taken to raise awareness and make the public and all Middlesbrough Councillors aware of the process of weed control, in particular why areas may appear to suffer from an increased level of weeds in recent years.
 2. That steps are taken to encourage the public to take greater ownership of their local area, such as the frontages of their properties, and to work in partnership with the Council on areas such as weed control. The scrutiny panel suggests that this could be undertaken as part of a wider campaign by Streetscene to highlight general environmental issues and raise environmental awareness.
 3. That, as far as possible given current and future budget constraints, existing high standards of weed control, and weed-free environments, are maintained at key sites such as the Cenotaph and town centre areas.
 4. Following 3. above, the use of Community Payback labour should continue to be used wherever and whenever appropriate to assist in taking a pro-active approach to weed control wherever possible.

ACKNOWLEDGEMENTS

26. The Panel is grateful to the following officers, who presented evidence during the course of this investigation:
- T Punton - Head of Streetscene, Middlesbrough Council.
 - J McQuade - Streetscene, Middlesbrough Council.

BACKGROUND AND REFERENCE MATERIAL

27. The following sources were consulted or referred to in preparing this report:
- Report to and minutes of the Environment Scrutiny Panel Meeting held on 16 December 2010.

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