
Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	7 February 2022
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Hollyer, Douglas (Substitute for Cllr Norman), Melly (Substitute for Cllr Musson), Orrell, Pearson, Rowley and Wann (Substitute for Cllr Baker)
Apologies	Councillors Baker, Musson and Norman

5. **Declarations of Interest / Dispensation**

The Chair announced at this point that a dispensation had been granted by the Chair of Joint Standards Committee, in consultation with the Monitoring Officer, to enable Members to take part in the meeting despite their participation in the vote at Full Council on 17 June 2019 on a motion to introduce a Pollinator Action Plan.

Members were then invited to declare any personal, disposable or pecuniary interests not included on their Register of Interests, which they might have in the business on the agenda. None were declared.

6. **Public Participation**

It was reported that there had been 5 registrations to speak at the meeting under the Council's Public Participation Scheme. All spoke in relation to Agenda Item 4 (the Called-in Item, supporting the calling-in).

Jenny Kent spoke against the Executive Member's decisions, on the grounds that they did not take account of the council's Pollinator Strategy nor its Climate Emergency declaration.

Nick Mole, of the Pesticide Action Network (PAN), offered the expert advice of PAN to help the council develop strategies to phase out the use of pesticides.

Robert Gordon, a campaigner for York Green Party, said that glyphosate was a threat to pollinators, plants and food production and the council should move to using it only in exceptional circumstances.

Geoff Beacon agreed with the comments of the previous speakers and advocated taxing the biggest polluters and helping to create green jobs in York.

June Tranmer highlighted the health implications of spraying alleys and streets in terraced areas and urged Members to look more carefully at other options such as hot foam.

7. Minutes

The Chair drew attention to his comments at the last meeting, as recorded in the minutes under the heading 'Opening Remarks', and noted their continued relevance to the current meeting.

Resolved: That the minutes of the meeting held on 6 December 2021 be approved, and signed by the Chair as a correct record, subject to the insertion of the word 'personally' after 'Councillor Wann' in the second sentence under the heading 'Opening Remarks'.

8. Called-in Item: Weed Treatment - Options

Members considered a report which set out the reasons for the call-in of the decisions made by Executive Member for Environment & Climate Change on 12 January 2022 in respect of Weed Treatment Options, along with the Committee's remit and powers in relation to the call-in.

The decisions were contained in the extract from the relevant Decision Sheet at Annex A to the report. The original report to the Executive Member Decision Session was attached as Annex B, and written submissions later received from two of the Calling-in Members were attached as Annex C. The decisions had been called in by Cllrs Baker, D Taylor, K Taylor, Vassie and Warters for the following reasons:

a) That [the decisions] fail to demonstrate any commitment to the aims of the council's adopted Pollinator Strategy, namely aim 2.3: 'reduce the impact of pesticides on pollinators and other wildlife';

b) The decisions of the Executive Member deliver no action whatsoever on reducing pesticide use until at least 2024, and possibly 2026, seven years after Full Council voted unanimously to call for action to protect pollinators and to reduce the use of pesticides;

c) The Decision Session report included no performance appraisal of the existing contract, or detailed options of alternatives to allow a meaningful comparison and confidence the local taxpayer is securing good value for money;

d) We believe that any weed control contract continuing the use of glyphosate must include annual glyphosate reduction targets (year on year for the period of the contract), including through reducing the number of sprays from the current 3 times a year to twice a year in the first year of any new contract;

e) City of York Council should be joining more than 80 other UK councils – including Hackney, Glastonbury, Doncaster, Brighton, Bristol, Guilford, Chichester, Folkstone, Chelmsford and Trafford – who've already committed to end pesticide use;

f) To recommend that if the council cannot find a contractor to agree to targets and changes of weed management that are consistent with the council's Pollinator Strategy, such as the use of strimming, weed brushing, and thermal lances or other methods that reduce or eliminate pesticide use, that an option is considered to bring the weed control programme back in-house."

Under the provisions of the council's constitution and the requirements of Local Government Act 2000, the following options were available:

- A – not to refer the matter to Executive, in which case the original decision would be confirmed, or
- B - refer the matter to Executive with specific recommendations.

At the invitation of the Chair, each of the five Calling-In Members addressed the committee in turn, explaining the reasons for the call-in and their individual positions on the use of glyphosate, and then responding to questions from Members. The Executive Member for Environment & Climate Change then addressed the committee to explain the reasons behind her decisions and respond to Members' questions. At this point, the Executive Member circulated a written 'concessions offer' intended to clarify and augment the original decisions. The meeting was then adjourned from 4pm to 4:11pm for a break

and for the Chair to take procedural advice, after which Members put questions to officers responsible for the report at Annex 2.

During the responses to questions, Members were informed that:

- Most highways authorities used glyphosate to control weeds on the highways.
- The extension option in the current contract enabled the council to terminate the contract after 2 years if they wished;
- The council determined the nature of the work required under the contract, and performance was externally monitored;
- In-house delivery would be challenging due to the need to recruit a large number of staff undertaking seasonal work;
- The use of quad bikes to carry out weed spraying was standard practice across the country;
- Officers had not been instructed to give the Pollinator Strategy more weight than the Highways Strategy;
- The Pollinator Strategy was about managing green spaces, not highways;
- Replacing glyphosate with manual weed control would be about 10 times more costly and have safety implications for highways.

After debate, Cllr Pearson moved, and Cllr Rowley seconded, that the 'concessions' document be formally noted. All voted in favour.

Cllr Fenton then moved, and Cllr Pearson seconded, that Option A be approved and the original decisions not be referred to the Executive. 5 Members voted in favour of this proposal and 4 voted against it. It was therefore

Resolved: (i) That the content of the 'concessions' document circulated at the meeting by the Executive Member for Environment and Climate Change, as reproduced below, be formally noted:

a) Supporting the policy ambitions set out in the Pollinator Strategy, to reduce the impact of pesticides on pollinators and wildlife, to commit to phasing out the use of glyphosate, focusing on

non-highway areas first then developing a plan for highways.

- b) To start work immediately with partners, such as Delta, Yorkshire Wildlife Trust and Pesticides Action Network (PAN) to further explore and evaluate the best alternative weed management approaches that would support the policy ambitions set out in the Pollinator Strategy, offering Climate Change Scrutiny Committee the option to feed into this work.*
- c) Full and openly transparent trials over the coming summer will be offered to all wards to evaluate the impact of fewer glyphosate treatments. 'Pilot' wards will have one less externally contracted weed spray and will have their fences, lamp posts and other street furniture strimmed once by the council's frontline teams, instead of the normal single spray carried out by the council's teams. This will therefore also support the work to phase out the use of glyphosate by the council's own public realm team. The changes for 'pilot' wards will generally apply to the whole ward, whilst ward councillors will be able to clarify specific areas that are excluded from any sprays, such as already excluded areas of river edges, play areas, parks, and existing wildflower community projects. Officers will ensure that these details are clearly identified before the season commences. Councillors from the wards undertaking the trial will be encouraged to actively engage with the Executive Member to further support alternative weed treatment work options as recommended by the external partners, for example through engaging parish councils and volunteers on other land. Officers will be instructed to write to all councillors offering the opportunity to opt in to the trial on council land and outlining further details of the proposal; this will be reported to the Executive Member at a decision session, in order to formalise the trial.*
- d) The procurement process for the new external contract will clarify that the council is on a journey to phase out glyphosate, and that as well as the reduced spraying in the 'pilot' wards the council*

will be considering further trials of alternative approaches as recommended in future years, and therefore the contract may change or be terminated.

e) The results of all the trials will be reported to the Executive Member in January 2023, together with an update on the work with partners (PAN, Defra and Yorkshire Wildlife Trust), offering Climate Change Scrutiny the option to consider pre-decision scrutiny as part of the ongoing work to phase out the use of glyphosate.

Reason: To acknowledge and record the Executive Member's stated augmentations to her original decisions.

(ii) That Option A be approved and that the original decisions not be referred to the Executive for consideration.

Reason: In view of the concessions offered by the Executive Member there are no grounds to refer the decisions to the Executive.

Cllr J Crawshaw, Chair

[The meeting started at 2.04 pm and finished at 5.02 pm].