

Meeting:	Decision Session - Executive Member for Environment and Climate Emergency
Meeting date:	27/02/2024
Report of:	James Gilchrist, Director of Transport, Environment and Planning
Portfolio of:	Executive Member for Environment and Climate Emergency; Cllr. J Kent / Cllr. K Ravilious

Decision Report: Service Developments – Public Realm

Subject of Report

1. This report focuses on the everyday tasks of street cleansing, parks, open spaces and grounds maintenance.
2. York is regularly recognised as a great place to live as well as attracting 8 million visitors per year. It has long been recognised these everyday services are important to our sense of place and pride in our city and neighbourhoods and the role that they play in our economy.
3. However, just as important is how we undertake these tasks, ensuring that our actions reflect our commitments to the environment. This commitment is defined by our various strategies and plans which detail the commitment to the climate emergency and seeking where possible to reduce our impact on the environment and reverse the change where possible.
4. There are a number of options contained within the report which broadly cover three key areas; verge and open space management, sustainable planting and bedding and weed control. The proposals contained within the report can be achieved within the budget proposed for 2024/25.

Benefits and Challenges

5. There are a number of benefits and challenges in respect of verge and open space management. There are opportunities to increase biodiversity and deliver the aspirations within the Council's Pollinator Strategy, with the obvious benefits to the environment. It is obviously important that the city and surrounding villages and areas remain clean and well maintained but there are opportunities to offer more diverse habitats through effective land management practices.
6. In terms of sustainable planting then there are some real benefits in changing the ways in which some of our bedding areas are managed. A move to more sustainable planting should encourage greater biodiversity and a wider plant mix and a reduction in emissions and resources involved in the planting and removal of bedding plants and watering of bedding plants. The proposed changes will see a move away from traditional bedding in certain locations to more sustainable planting schemes. The challenge will be in ensuring that perceived benefits are delivered in practice, and this is why a number of trial areas are suggested for development initially.
7. There are a number of benefits and challenges the Council, and indeed the world faces, in effective weed control. The Council has a duty to manage its highway and footway network effectively; this is especially important given the Council's focus on accessibility and extends to all the public realm not just highways. This needs to be balanced with a move to protect the environment and seek to reduce where possible, the amount of glyphosate used across the city. The Council will seek to ensure that all areas remain accessible and effectively controlled. Therefore, there are some proposed changes to weed control methodologies in the report which seek to reduce the amount of glyphosate used.

Policy Basis for Decision

8. In the new Council Plan, there is a key core commitment to the climate. This commitment is about understanding and reducing our impacts on the environment and enhancing it. One of the priorities identified within the Council Plan is to "increase biodiversity and plant an additional 4,000 trees across the city" and another is to

“understand and consider the climate and biodiversity impacts when taking council decisions”.

9. At full Council in July 2023, a motion was passed on safeguarding York’s future and recognised that the ‘ecological crisis should be tackled shoulder to shoulder with the climate crisis through a more joined up approach, with a focus on reversing the destruction of nature by 2030, not just halting it’. The Council committed to deliver actions that deliver on the Pollinator Strategy to achieve a measurable increase in biodiversity.
10. In March 2023, the Council adopted a 10-year Climate Strategy that outlines the commitment to “protect green spaces, for less air pollution and an increase in biodiversity”.
11. The Council adopted a Pollinator Strategy in 2021 with a commitment to “ensuring the Council will consider the needs of pollinators in the delivery of its duties and work. CYC will seek to protect and increase the amount and quality of pollinator habitat and manage its greenspace to provide greater benefits for pollinators. We will ensure local people are provided with opportunities to make York more pollinator friendly”. There was also a specific objective to increase the value of parks and other green spaces for pollinators. There was a further objective to reduce the use of glyphosate with trials.
12. In 2019, the Council declared a Climate Emergency and committed to a target of making York carbon neutral by 2030.

Financial Strategy Implications

13. The proposals within the report are in accordance with the proposed budget savings for 2024/25. Saving PLA 12 is ‘sustainable and climate resilient planting from 2024 onwards’, representing future years savings on winter and summer bedding. Residential grass verge cutting reduced to 6 times per year, that offer cost savings as well as increased biodiversity benefit, with a first year saving of £100k.
14. There are some set up costs to enable the move to sustainable planting and therefore the savings have been split over two years with a total saving of £130k. The savings have been achieved by

reducing the number of general operatives by two and reducing the number of vehicles in the Public Realm fleet by two.

Recommendation and Reasons

15. The Executive Member is recommended to:

- i. Note the content of the report and agree to the commencement of the proposed changes in the management of verges and open space in selected areas identified in the report.

Reason: To build climate resilience and adaptation to climate change and improve the biodiversity of our green spaces by determining how these spaces will be managed in the future; recognising that not all changes can be made immediately

- ii. Note the content of the report and agree to the commencement of the proposed changes in the management of sustainable planting across the city.

Reason: To initiate a move to more sustainable and pollinator friendly planting across the city by trialling new approaches commencing with key locations around the city centre

- iii. To note the report and reduce the amount of glyphosate used in the treatment of weeds across the city by moving to two sprays citywide.

Reason: To reduce the amount of glyphosate used in the treatment of weeds across the city delivering on the Council Plan.

- iv. To give delegated authority to the Director of Transport, Environment and Planning and in consultation with the Chief Finance Officer and Head Procurement, and take all steps necessary to procure, award and enter into contracts to deliver and effectively implement weed control treatments across the city.

Reason: To enable a contract to be put in place in a timely manner to ensure the treatment of weeds is delivered by an approved contractor and effectively monitored in line with budget commitments.

- v. To delegate authority to the Director of Environment, Transport and Planning to trial alternative weed treatment options not previously trialled in York, so they can be appraised for their effectiveness and ability to be replicated across the city.

Reason: To inform the future direction of weed treatment approaches and to ensure the Council can trial any emerging technologies in an effective manner and can reduce glyphosate usage as soon as possible.

Background

16. Public Realm are the outdoor spaces in our city and villages which are publicly accessible; this includes roads, paths, verges, parks, strays and play areas. Highways and Public Realm teams manage these spaces across the city.
17. The Public Realm team are responsible for urban and rural grass cutting, mechanical and manual sweeping, emptying dog/litter bins, litter picking, cleanliness of the city centre, cleansing of the A64, leaf clearance works, removal of fly tipping, dealing with dead animals, treatment of highway weeds and weeds around verge obstacles, shrub beds and planting, management of hedges, opening and closing of the bar walls, inspection and maintenance of play areas, tree planting, inspection and arboriculture works, inspection and maintenance of lifebuoys and riverside safety equipment, safety inspection of headstones and memorials, management of closed churchyards, farm tenancies and the management of parks and open spaces across the city. In Parished areas, some of these activities are undertaken by Parish Councils.
18. A review of the service has taken place to ascertain whether there is a better way to manage our assets and approaches in order to achieve our environmental commitments.
19. The report identifies some immediate changes and trials which reduce our impact on the environment and sets out a number of options in relation to verge management and grass cutting, planting and opportunities to improve biodiversity and reduce our impact on the environment.

20. However, it is an environment that needs to continue to serve our residents and visitors alike. The changes also need to be delivered within the budget that was approved by Executive on 25th January 2024 and which is due to be considered by Budget Council on 22nd February 2024 (which is after the publication of these papers).

Consultation Analysis

21. Officers have worked closely with colleagues in Public Health teams and the Council's Ecologist in developing these proposals. Officers and Executive Members have talked to city partners at a range of meetings including the re-launch of the York Climate Commission on 11th January 2024, such as St Nick's, York Cares, City Nature Challenge, University of York and will continue to work together where possible for the benefit of the environment.

Options Analysis and Evidential Basis

Verge and Open Space Management

22. The Council is responsible for the management of all verges that are adopted highway except the verges along the A64 and the roundabouts over the A64.
23. The Council also cuts grass in communal housing areas on City Council housing estates and parks and open spaces managed by the City Council.
24. The way grass is cut varies between rural and urban areas. In urban areas, we currently cut grass including highways verges, communal housing areas and open public spaces. Subject to weather conditions we have historically aimed to cut grass every 3 to 4 weeks between late March and October. In practice, due to a combination of staff shortages, weather and other factors this has not been consistently achieved in recent years.
25. In rural areas, the standard service is the same for communal housing areas and open public spaces. For rural grass verges of 'A' and 'B' roads, footpaths and cycleways, we cut a 1 metre wide strip to ensure grass does not impede the passage of traffic.

26. On other rural roads, grass cutting is restricted to priority locations, bends and corners, areas where grass may obstruct the line of sight leading to a public hazard (for example, bridleways and footpath exits but not private drives). Subject to weather conditions, we aim to cut grass in rural areas twice per year; the first cut is in June/July and the second cut in September/October. The remaining areas in the verge are left long to encourage natural habitats to form which encourage biodiversity.

Options for Improved Verge and Open Space Management

27. There is a growing body of evidence of the benefit of managing verges and grassland differently. Plantlife's Managing grassland has been used in developing these proposals; see <https://www.plantlife.org.uk/our-work/road-verges/>
28. Generally, the rural verges on 'A' and 'B' roads are already managed for biodiversity with the only cutting being for road safety reasons. The variety of grass species would be increased by removing the grass cuttings from rural verges. However, the Council is only cutting the first metre of the verge and the impact would be minimal compared to the cost of collecting the arisings from two cuts per year.
29. Some rural verges have historically been cut by farmers and landowners, whilst cutting visibility splays does indeed assist, it is not always in accordance with our environmental, climate and flood management policies. Therefore, officers have drafted a verge management policy and commit to consulting with farmers and landowners, drawing on their experience and knowledge to co-develop a robust set of guidelines (see Appendix 5). The Council is legally responsible for the grass, wildflowers and trees in verges and not landowners; the Council will consider legal action if damage or inappropriate maintenance is undertaken on verges.
30. In relation to urban highway verges and housing land, there is a balance to be struck between the environmental value and amenity value it provides. Through reducing the amount of grass cutting, there is less disruption to insect communities and it may give shorter plants like clover an opportunity to flower and seed, increasing biodiversity. Further information on ecological advice from the Council's Ecology Officer is included in Appendix 1. Therefore, officers recommend that grass in these locations is maintained at a

height of approximately 15 cm (this will effectively mean approximately 6 cuts per year). This will obviously be subject to weather conditions.

31. The suggested changes are being put in place to tackle biodiversity loss and nature recovery, climate adaptation and resilience etc, whilst also recognising the challenges the Council face in terms of budget. The Council doesn't currently have the resources for machinery to cut and remove arisings so we are looking to work in partnership with the community and partners in developing this work as we move forward.
32. It should be noted that if this is approved then there will be implications in terms of double taxation. The concept of double taxation is that a resident shouldn't pay twice for a service; so if a Parish Council cut the grass in an open spaces, then the City Council should fund the grass cutting to the level that the City Council does it elsewhere in the city. If the grass cutting across the city is reduced to 6 cuts per year, then this will affect the amount of double taxation Parish Councils can claim.
33. In addition, the following areas are identified to highlight where it is possible that a more relaxed approach to mowing or the planting of wildflowers can be trialled. The areas can be used as a possible test of cut and collect with one cut (please note we will need to source the equipment and welcome suggestions and offers of help with equipment sharing from city partners). This will allow the Council to pilot areas to judge the impact that a new management approach can generate from a biodiversity and wildlife perspective. As part of this development, the Council will seek to evaluate the approaches to the management of verges and use different methods to inform the position for future years.
34. Scrutiny Committee has previously heard about Agrisound devices which can monitor insect biodiversity that the Council have trialled and these should be focused on these trial areas. The Council is also aware of citizen science projects that have already taken place to establish biodiversity and follow up work on these trial areas below is welcomed.

Road	Location	Local considerations	Voluntary / community involvement
A166 Hull Rd	Grimston Bar to B&Q	Central reservation / sponsorship signs will need to be strimmed around	No - 40 mph
	B&Q to end of Bus Lane	Central reservation / daffodils (need to allow daffodils to die back before cutting)	No - 40 then 30 mph
	end of Bus Lane Black Bull	In bound verge / poss. crocus bulbs	Yes *
Field Lane	Deramore Drive to B&Q roundabout	Outbound verge (expansion of TCV work)	Yes *
A1036 Tadcaster Rd	Section in front of Tesco	Need to remove old timber planters / sponsorship signs	Yes *
Moor Lane	Woodthorpe	Outbound verge near A1237 balancing pond - already wildflower seeded	Yes *
A19 (North) Rawcliffe	Shipton Road	In bound verge	Possibly* 40 mph
Monks Cross	Jockey Lane	Central reservation / sponsorship signs on southern section only	No - 40 mph
A1237	12 Roundabouts	Chevrons and sponsor signs. Suggest cutting a braid up to road or sponsorship signs and leave rest to long grass	No - 60 mph

*subject to site risk assessment and nature of work

35. Planning and Highways colleagues have confirmed that it is permissible to erect signs in the verge to ensure that residents and visitors are clear that we are operating relaxed mowing areas for the above trials. The signs must be under 1.15 square metres in size and the service will require Streetworks permits in certain locations. to gain approval and undertake the erection of the signs.
36. In terms of larger green spaces, the Council already has a number of well established arrangements to manage land sustainably (e.g. Hob Moor etc). There are other opportunities where reduced mowing could be undertaken in the future and these are outlined below:-

Location	Ward	Existing Yes/No	Future opportunity	Voluntary / community involvement / comment
Millennium Bridge – Fulford side	Fishergate	Yes	No - not without losing sports / games / picnic area	St Nicks lead on site management and development
Millennium Bridge – Bishopthorpe Rd side to Terry's snicket	Micklegate	No	Yes – poss. 25-40 % of area – would need ward buy in	Has potential – Friends of Nun Ings?
Location	Ward	Existing Yes/No	Future opportunity	Voluntary / community involvement / comment
Rowntree Park	Micklegate	Yes	Additional 10 % of grassland could be set aside	Friends supportive / part of Green Corridors project
North Street Gardens	Micklegate	No	Parts of perimeter being developed for wildflower planting	York Cares active
Victoria “stray” – Scarborough Bridge to Clifton Bridge	Holgate	Limited to woodland development areas	Yes, would need ward buy in community said no last time tried	Possible – Friends of Leeman Park
RSPCA / Clifton Landing	Holgate	Yes	No, area now fully developed with meadow / grassland	
Riverside near St Peters	Clifton	Yes	Must watch out for EA maintenance obligations for flood bank	
Rawcliffe Country Park	Rawcliffe and Clifton Without	Yes	Approx. 50 % grassland already set aside as long grass, too soon to expand due to ongoing EA works	
Rawcliffe Lake	Rawcliffe and Clifton Without	Yes	No, only marginal mowing takes place along footpaths	
West Bank Park	Holgate	Yes	Limited - could expand margins	Friends of West Bank Park

Hull Road Park	Hull Road	No	Could develop margins to complement beck naturalisation	TCV / St Nicks already active on site
Glen Gardens	Heworth	No	No. Community value old Bowling Green too much as kick about / dog area	Friends of Glen Gardens
Melrosegate playing field	Heworth	No	Unlikely – woodland planting being explored	
Clarence Gardens	Guildhall	No	Yes, opportunity to repurpose one or both old Bowling greens as meadow	Possibly
Location	Ward	Existing Yes/No	Future opportunity	Voluntary / community involvement / comment
Scarcroft Green	Micklegate	Limited to orchard	Limited - could expand margins	
Little Knavesmire	Micklegate	No	Yes - could create margin area – avoiding sports pitches	Indicative support for idea from sports clubs
Main Knavesmire	Micklegate , impact on Dringhouses and Woodthorpe	Yes	Yes, expansion of woodland meadow along Tadcaster Road once drainage work is completed. Test/ trial area within the southern sector of the racecourse	Yorkshire Wildlife Trust may be able to bring in some assistance. Racecourse interested in participating.
Monk “Heworth” Stray – section bounded by Malton Rd and Stockton Lane	Heworth Without	Limited to small margin by boundary hedge	Yes, could expand. Very negative feedback when most of this section was allowed to grown long circa 2018	
Batchelor Hill	Westfield		Need to check further on existing regime (conservation concerns)	
Chesney’s Field (off Thanet Rd)	Westfield	No	Yes, untested in this area – approx. 50 % - likely complaints about dog faeces	

Acomb Green	Westfield	No	Yes – could develop margins	
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37. The Council is responsible for managing the bankings on the bar walls (City walls ramparts). Specialist mowing equipment is used to manage this site due to steep banks. A number of stretches of the bar walls are planted with daffodils which flower between April and June. It is proposed to move to a cut once per year on the outer walls and two cuts on the inner walls. Please note that at certain corners of the outer bar walls there may need to be a trim at the end of the year to ensure there is no encroachment onto the pavement (e.g. Moatside Court, off Lord Mayor’s Walk, Piccadilly etc). There will continue to be no collection of arisings.
38. The Council will continue to cut grass at sites such as West Bank Park (main lawn / football goal areas), Millennium Bridge (games / picnic area), parts of Scarcroft Green, Woodthorpe Green etc with an aim for a cut every three weeks in the growing season. This will continue to allow the use of these recreation spaces for general play.

Sustainable Planting and Bedding

39. It is proposed that a trial is undertaken on selected sites in the city centre to move to more sustainable planting and away from bedding plants that are currently planted twice a year (summer bedding is planted in June and winter bedding in October). These proposals mainly centre on the Inner Ring Road area in the initial phase.
40. There are options to extend the move to more sustainable planting to other areas but it is important that the service assesses the success of the move to more sustainable planting and to ensure that the perceived ecological benefits are achieved. It is important that the public are updated about the changes, and it is proposed that some form of promotional material is displayed in beds to outline the benefits of making the changes. The table below highlights areas where a move to more sustainable planting can be achieved. It may be possible to work with ward councillors and local community groups to become actively involved in managing some of these spaces. This can be reviewed and refined as we move forward:-

Location	Ward	Bed No.	Est bed area (m ²) inc. edge curb *	Proposal Rationale / Notes
Current bedding areas				
Blake Street traffic Island	Guildhall	1	22	Pollinator planting, too shallow for tree
		2	17	Pollinator planting, too shallow for tree
Lendal Bed Bank	Micklegate	1	10	Fill and seed with grass, Longer term - explore wildflower bank
		2	33	Fill and seed with grass
Leeman Road traffic Island	Micklegate	1	20	Needs to cope with shade from trees
Triangle Gardens	Micklegate	Left	30	Pollinator planting
		Right	30	Pollinator planting
Station Road / Station Rise traffic island	Micklegate	1	3	Pollinator planting
		2	32	Pollinator planting
		3	39	Pollinator planting
City walls opposite Station entrance near bus shelters	Micklegate	1		Fill and seed with grass. Poor visibility / out of context with city walls grass
		2		
Prices Lane	Micklegate	1	8	
Skeldergate traffic island (Nb this is a regimental Boer War Memorial)	Micklegate	1	14	Pollinator planting Southern African inspired plants?
		2	11	Pollinator planting
		3	11	Pollinator planting
		4	11	Pollinator planting
Fishergate traffic island	Guildhall / Fishergate	1	9	Very poor location for safe working – possibly test wildflower turf or plant lavender?
St Aubyns Place	Micklegate	1	5	Fill and seed with grass - brings into line with all other residential verges, further offset by proposed change to grassland on Knavesmire
		2	5	
West Bank Park	Holgate	1	n/a	Pollinator planting to complement the permanent planting which can be expanded
		2	n/a	
Crematorium	Bishopthorpe	1		Options to discuss with the Crematorium to move to more sustainable planting (currently we purchase bedding that they change twice per year)
		2		
		3		

Location	Ward	Bed No.	Est bed area (m ²) inc. edge curb *	Proposal Rationale / Notes
Non Bedding areas				
Nunnery Lane car park – Micklegate Bar end	Micklegate			Pollinator planting, currently overgrown with poor quality shrubs
St George's Field Car Park Raised Beds	Fishergate	X 2		Needs to be both drought and flood tolerant
Barbican Flats	Fishergate	X 2		Pollinator planting, currently overgrown with poor quality plants. Recent interest from Ward Cllrs, possibility of community involved
Rosemary Place / Navigation Road play area	Guildhall	3		Pollinator planting. Beds recently of over mature shrubs cleared as part of play area re-fresh
Jewbury car park rotunda	Guildhall	1		
Monk Bar (opp. Monk Bar Hotel)	Guildhall	1		Pollinator planting, currently overgrown with poor quality shrubs
Thief Lane (raised bed)	Fishergate	1	33	Pollinator planting, currently overgrown with poor quality plants. Recent interest from Ward Cllrs, possibility of community involved
Cherry Hill (horse trough)	Micklegate	1		
Lawrence Street (horse trough)	Fishergate	1		

*Please note that in table above bed sizes need on site measurement to confirm

Weed Control

41. For a number of years, the highway weed control has been undertaken by an external contractor.
42. It is important to recognise that managing the Council's highway and footway infrastructure (keeping our pavements and highways accessible to all), whilst doing all it can to minimise the use of glyphosate is a difficult balancing act for the Council. The Council Plan contains a commitment to reduce the use of glyphosate/

herbicides. The current weed contract expires in March 2024 and there is no option to extend the contract as the Council previously extended the contract 2 years ago.

43. In 2021, the Council undertook a trial of alternative weed treatment methods in an attempt to reduce the use of glyphosate across the city. The trial included the use of a nonanoic acid, an acetic acid, glyphosate and manual weed removal. The nonanoic acid and acetic acid were not as successful as glyphosate in the treatment of weeds and proved ineffective. The issue with the manual removal of weeds is this is a time consuming task and struggles to be replicated citywide due to the size of the highway network that we manage.
44. In 2022 and again in 2023, the Council undertook a pilot approach in relation to weed control. Ward Councillors were provided with an opportunity to reduce the number of weed sprays in their respective wards as part of the weed pilot. This saw the number of sprays reduced from three sprays to two sprays. Ward councillors could choose to be a 'pilot' ward and opt out of some of the glyphosate treatments for 2022 and again in 2023.
45. The following wards participated in the 2022 weed pilot by having two sprays; Guildhall (whole ward), Osbaldwick and Derwent (whole ward), Hull Road (whole ward), Micklegate (whole ward), Fishergate (whole ward), Rural West (whole ward apart from Skelton), Holgate (defined areas only had two sprays; no spraying on St Paul's Square) and Wheldrake (whole ward apart from Elvington which received no sprays). In addition to this, there were some single streets that received no sprays at all.
46. The following wards participated in the 2023 weed pilot by having two sprays; Osbaldwick and Derwent (whole ward), Micklegate (whole ward), Fishergate (whole ward with some back streets excluded from any spraying), Guildhall (whole ward), Copmanthorpe (whole ward), Holgate (defined areas only had two sprays; no spraying was extended on St Paul's Square which opted to self-maintain), Wheldrake (whole ward apart from Elvington which received no sprays). Dringhouses and Woodthorpe ward retained the 3 sprays on the highway but requested a strim not a weed spray of Public Realm areas in their ward. As part of the trial stiffer brushes were fitted on the street sweepers to aid with weed removal and this was successful and has been adopted and rolled out.

47. Feedback has been sought from ward councillors who participated in the weed pilot in 2023. The information returned from ward councillors is included in Appendix 3. In summary, the feedback can be summarised as follows:-
- The trial of the stiffer brushes in normal street cleansing operations did help and we are now using these across our fleet
 - Recognise the tension that residents want to reduce glyphosate but many want cleaner, weed free streets
 - Comments were made about the previous contract performance and coverage in certain areas across the city. Additional management capacity has been recruited which will more closely manage and monitor future weed treatments
 - Some wards would like to manage weed treatment themselves as a local service. At this stage, officers do not propose to do this as it would reduce the purchasing power of the Council for the main contract. Engagement of wards will be key to future decision making.
48. The trial of 2 sprays has not resulted in feedback that the principle of 2 sprays is somehow flawed. Neighbouring North Yorkshire Council undertakes 2 sprays county wide having previously trialled 1 spray; they did have issues and have moved to 2 sprays.
49. The Council has also sought to work with partners to discuss how they are managing weed control on their estates. Work has been undertaken with Yorkshire Wildlife Trust (YWT) and the Environment Agency to understand their current approaches to weed control and any other future options they may be considering. In addition, advice has been sought from the Pesticide Action Network (PAN). We have also consulted Friends of the Earth. Their Head of Policy stated “we have said in the past local authorities should move away from using the chemical glyphosate if it is practical to do so. But it is important to recognise that local authority use of glyphosate will have minimal biodiversity impacts if used sensibly and unlikely to have any human health impact (the main route for glyphosate entering the human body will be ingestion via food, for example many wheat farmers use it to dry their crop before harvest which leads to residues in bread). Glyphosate is not one of the more toxic pesticides. Local authorities will also be a tiny fraction of use compared to farmers. The question for the council, given tight finances, will be cost benefit. Focusing scarce resources on increasing biodiversity through measures such as better use of verges to encourage wildflowers and insects will

deliver more gain for nature with less outlay. This doesn't mean that reducing or eliminating glyphosate is a bad idea, instead it is a reflection that in hard times the council must choose between good ideas and there are better good ideas than eliminating glyphosate use.”

50. The EU have recently extended the authorisation of glyphosate for a further 10 years and the UK has licensed glyphosate until December 2025.

Options for Improved Weed Control

51. The Council, through its Public Realm team, are responsible for weed control in limited locations. In order to reduce glyphosate usage, we adapted the approach to weed control and no longer spray weeds in tree pits. The only areas that are currently treated are around street furniture and at perimeter fences of parks and playgrounds (no other spraying is done in parks and playgrounds).
52. The Council will continue to encourage areas that have consensus to opt out of spraying completely and manage weed removal themselves manually. We retain the ambition to decrease weed growth through mechanical sweeping and manual removal where possible. Residents are free to weed the pavement in front of their homes. Glyphosate is only effective when it lands on the leaves of a plant/weed. The contractor is instructed to only spray visible weed growth. Therefore, the manual removal of weeds by residents would also reduce the amount of glyphosate used. York is very lucky to have an active and civically engaged residents who support our city in many ways and this is clearly an opportunity to reduce glyphosate.
53. Officers have explored the option to deliver all weed control in-house rather than use a contractor. However, this would require the purchase of quad bikes and equipment which would be used for a limited number of weeks of the year (which does not really make economic sense). In addition to the equipment, additional staff resource would be required to undertake the spraying as existing staff are deployed on other tasks as this is the busiest time of year for the service. To use seasonal staff carries significant risk as skilled and qualified staff would be required for relatively short periods of time (the current contractor uses a team of 5 people for up to 3 weeks per spray). It should be noted that you are required to

hold a spraying licence to apply chemicals. Officers do not believe that appointing these staff on a seasonal basis would work and there is significant risk we would not have the resource or skills to deliver. On this basis, officers believe the investment required does not make an in-house service value for money and would require budget growth.

54. Officers have looked at not using quad bikes and undertaking an entirely walked spray. Although there is a limit to the speeds a quad bike can travel, they are significantly quicker and therefore able to cover an extended area as compared to a walked spray. Market engagement with providers has identified that this would increase the cost of the contract significantly and is therefore not affordable.
55. Manual weed removal would remove the need for glyphosate but for the Council to do this it would need to be a walked spray. Teams are already encouraged to remove any weeds if they are working in the area. To do this to a similar standard to that achieved via a glyphosate treatment would cost significantly more and is therefore not viable.
56. We have worked with other local authorities as effective weed control is not a challenge that York faces alone. Some authorities have had to reverse previous decisions to reduce or ban glyphosate as non-chemical alternatives were found to be too expensive or non-effective and damage to pavements and infrastructure was becoming apparent. This includes authorities such as Brighton and Hove Council, Isle of Wight Council and Cambridgeshire County Council who have reverted to chemical treatment.
57. In conclusion, glyphosate remains, at this time, the only affordable option within current structures and established ways of working. The contract also asks suppliers to indicate if they would be happy to participate in any future weed treatment trials so that if any new technologies or products emerge they can be trialled effectively in the city. The need to reduce glyphosate is real and the previous trial of 2 sprays appears to have been successful.
58. Therefore, the Council will seek prices and treatment options from suppliers. They have been asked to submit prices for up to 2 weed treatments per year, to identify their preferred treatment method and to outline which weed treatment materials they propose to use. This will be an open tender to encourage responses from the market. It is

proposed that this is a 2 year contract with an option to extend for a further 2 years to ensure timely review and that the service is as efficient as possible. The contract will be managed by the Council's Public Realm team.

Organisational Impact and Implications

59. The implications are as follows:

- **Financial:** The proposals in the report are consistent with the requirements to save £100k from the overall Public Realm budget.
Human Resources (HR): Any reduction in the number of staff required due to the proposals would be managed in accordance with the Council's normal processes. The service area anticipates however that these reductions can be managed through not filling vacancies and therefore no dismissals for reason of redundancy are envisaged.
- **Legal:** The Council has a duty to maintain the highway under section 41 of the Highways Act 1980. Grass verges are considered to form part of the highway. In addition, the Council has a power to maintain grass verges and to ensure that anything on the verge does not hinder the reasonable use of the highway by any person entitled to use it, or cause nuisance or injury to the owner or occupier of premises adjacent to the highway. The current weed control contract expires in March 2024. Officers from Legal Services are advising on the replacement contract to form part of any approved procurement process.
- **Procurement:** Any proposed works or services, will need to be commissioned via a compliant procurement route under the Council's Contract Procedure Rules and where applicable the Public Contract Regulations 2015. All tenders will need to be conducted in an open, fair and transparent way to capture the key principles of procurement. Further advice regarding the procurement routes, strategies and markets must be sought from the Commercial Procurement Team. Officers from Public Realm are working closely with procurement colleagues.
- **Health and Wellbeing:** When approached, the UK Health Security Agency (UKHSA) directed public health officers to the Health and Safety Executive (HSE) guidance, which advises that in cases where there is a need for glyphosate

usage in the public realm, it is safe to do so if used within current guidance. The HSE state: 'All companies wishing to obtain approval for their pesticides are required to submit substantial data dossiers to support their applications. The extensive range of studies undertaken on pesticides is aimed at establishing acceptable safety for people, animals and the wider environment. This process has been applied to glyphosate which has been approved as safe and efficacious for a number of years now. The risks associated with the use of pesticides in amenity areas such as parks are specifically considered as part of the authorisation process. 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.'

It will be important therefore to ensure that if glyphosate is used by City of York council public realm teams, it is done so:

- in accordance with the authorised conditions of the products;
- with operatives wearing the required PPE and adhering to exposure guidance;
- appropriately training provided to operatives; and
- a suitable method of application used for the product.

The guidance and emerging evidence on the use of the product internationally, should be regularly reviewed and taken into account by CYC.

- **Environment and Climate action:** The focus of this report is to adjust our Public Realm maintenance practices to align them to the Council's environmental intent building climate

resilience and climate adaptation through techniques such as biological carbon sequestration.

- **Affordability:** no specific comments on this report.
- **Equalities and Human Rights:** The Council has taken account of the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it, in the exercise of a public authority's functions.
The changes are not envisaged that there will be any impact on these with protected characteristics. It is anticipated that the changes to regimes will continue to keep pavements free from hazards. Should these changes to weed control and/or grass cutting cause obstructions, an immediate review will need to be undertaken.
- **Data Protection and Privacy:** no specific comments on this report.
- **Communications:** Communications support will be required in the short term with web services to ensure that web pages are updated. Work will also be needed, should changes be made, to support staff and ensure that people are informed about what they will mean for their area.
- **Economy:** York is regularly recognised as a great place to live and to visit. Effective maintenance of public realm supports a sense of place and pride in our city and neighbourhoods and the important role they play in our local economy. The proposed introduction of sustainable planting trials in and around the city centre align with the 'Sustainable City' theme in the Council's updated 'Our City Centre' vision, approved by Executive in October 2023.

Risks and Mitigations

60. The key risk is if the suggested trials do not deliver the impacts in relation to biodiversity improvement or if there are any issues relating to accessibility as a result of the proposed changes in terms of grass cutting and weed control. There are not perceived to be any adverse impacts but this is something that the Council will keep

under review. Should any adverse impacts be identified than an immediate review will need to be undertaken.

Wards Impacted

61. All wards are impacted by the decisions contained within the report.

Contact details

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Background papers: None

Annexes

Appendix 1 – Ecological Advice

Appendix 2 – Rural Grass Cutting Areas

Appendix 3 – Feedback from ward councillors on the 2023 Weed Pilot

Appendix 4 - Equality Impact Assessment

Appendix 5 – Caring for York’s verges