

Report to	Partnerships Scrutiny Committee
Date of meeting	13th February 2020
Lead Member / Officer	Lead Member for Housing and Communities / Lead Member for Highways, Environmental Impact, Waste and Sustainable Travel / Head of Highways, Facilities and Environmental Services
Report author	Head of Highways, Facilities and Environmental Services
Title	The Council and Trunk Road Agency Highways Grass Verge and Hedge Maintenance and Pesticide Application Policies

1. What is the report about?

- 1.1. This report is about the respective policies of Denbighshire County Council and the North & Mid Wales Trunk Road Agency (NMWTRA) with respect to verge/hedge maintenance and pesticide application.

2. What is the reason for making this report?

- 2.1. This report was requested by members of the Partnerships Scrutiny Committee at its meeting on 11th July 2019, following a discussion about the Council's Biodiversity Duty Delivery Plan. As part of that discussion, officers highlighted the Council's policy on verge cutting, which had been amended in order to deliver biodiversity benefits. Members then asked whether our policies were consistent with those of NMWTRA, and requested a discussion on the matter.
- 2.2. Furthermore, a separate request was made to the Scrutiny Chairs and Vice-Chairs Group for a discussion at Scrutiny regarding the use of pesticides in public areas. The Scrutiny Chairs and Vice-Chairs Group approved that request.

- 2.3. This report is the response to the requests highlighted in 2.1 and 2.2, above. This report, and associated appendices, are therefore presented in order to enable Members to discuss the respective policies of the council and NMWTRA. Officers from both organisations will be present to facilitate a discussion and to answer questions on the respective policies.

3. What are the Recommendations?

- 3.1. That the Committee examine the current policies of both organisations, and make comments and recommendations as deemed appropriate.

4. Report details

Denbighshire County Council policy on maintenance of highway verges

4.1. Appendix I sets out the Council's policy on the maintenance of highway verges. The policy can also be found on the Council's website at <https://verge-cutting-policy>. The main principle underpinning the policy is that verges must be managed to ensure the safety of all road users. However, verges are also increasingly recognised as important habitats for maintaining biodiversity - to the benefit of species such as bees and other pollinating insects, as living spaces for wild flowers and other wildlife that is being lost from the wider countryside, and as vital wildlife corridors connecting habitats together. The council's policy therefore aims to address these desired outcomes in a realistic and economic way.

Denbighshire County Council briefing note on weed spraying, including the use of pesticides

4.2. Appendix II sets out the Council's position on the use of pesticide for the purposes of weed control. The briefing note itself contains an Appendix A, which is a Welsh Government Information Note on the use of Glysophate-based products. Denbighshire County Council's Head of Highways, Facilities and Environmental Services requested this information note from Welsh Government because of concerns raised about the use of Glyphosate by some residents. The reason for requesting the information note was to provide assurance that the Council's position is aligned to the position of Welsh Government.

NMWTRA policy on maintenance of highway verges

- 4.3. Appendix III sets out the current Welsh Government policy for the maintenance of highway verges. The policy can also be found at
<https://gov.wales/sites/default/files/publications/2017-09/road-verges.pdf>
- 4.4. NMWTRA are currently awaiting an updated Welsh Government Trunk Road Maintenance Manual (WGTRMM) which provides the Welsh Government specification requirements. For grass cutting, NMWTRA expect it to be based on the guidance provided in the Plantlife document, attached at Appendix IV or downloadable at <https://www.plantlife.org.uk/uk/our-work/publications/road-verge-management-guide>, which Welsh Government, Highways England and Transport Scotland have signed up to.

NMWTRA policy on the use of pesticides

- 4.5. In respect of pesticide (glyphosate) use, the current Welsh Government policy is as attached at Appendix V, which was issued to Trunk Road Agents and the Welsh Local Government Association by Welsh Government in August 2018.
- 4.6. For injurious weeds (under the Weeds Act 1959) e.g. ragwort and invasive species e.g. Giant Hogweed see <https://gov.wales/weeds-invasive-non-native-species>.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. No decision is being sought by this paper. However, the Council's policy on the maintenance of highway verges does support the corporate priority "to ensure that the environment is both attractive and protected, but also supports community well-being and economic prosperity". One of the specific ambitions within that priority is to "increase the biodiversity quality of important habitats and species across the county".

6. What will it cost and how will it affect other services?

- 6.1. This paper is provided for information, and it contains no proposals for change which would incur any costs or affect other services.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. A Well-being Impact Assessment is generally required for decisions or proposals for change. This paper requests no decision and contains no proposals for change.

8. What consultations have been carried out with Scrutiny and others?

- 8.1. As highlighted in 2.1, the Council's policy on verge cutting was subject to a discussion as part of the Partnerships Scrutiny Committee discussion about the Council's Biodiversity Duty Delivery Plan on 11th July 2019.

9. Chief Finance Officer Statement

- 9.1. There are no direct financial implications of this report.

10. What risks are there and is there anything we can do to reduce them?

- 10.1. The Council's policy on verge-cutting presents risks, but only if it is not applied properly. The main risk relates to the safety of road users, but this is clearly recognised and addressed within the policy. Any risks around the use of pesticides again relate to misapplication, and this is addressed in the briefing note and also within the contract, which is actively monitored via the contract management process.

11. Power to make the decision

- 11.1. No decision is being sought by this paper. However, Scrutiny's powers to examine the matter and to review and develop policies is outlined in Sections 7.2 and 7.4 of the Council's Constitution.