
Quick Briefing – Weed control

1.0 Background

The parish council has historically paid for weeds across pavements in the parish to be sprayed twice yearly in order to control their growth and maintain a tidy appearance. In November 2021, councillors agreed to offer a new contract for weed maintenance that would commence in April 2021. The specification for the weed spraying asked people tendering to include options for non-glyphosate herbicide, as well as electrical and other mechanical methods. Three bids were received and because they were all much higher than anticipated, councillors decided not to accept any of them and instead review the specification later in the year. A new specification was issued specifying that only a non-glyphosate herbicide could be used. By the time of their public meeting on 20 October 2022, one bid was received which councillors rejected as still being too high and agreed instead to postpone any weed spraying until Spring 2023.

Note: there is no statutory requirement for the parish council to maintain public spaces and roads that are owned or managed by Cornwall Council.

2.0 Current situation

2.1 Clerk has met with Rebecca Dickson (Community Partnership Officer for Cormac), discussed options with Sarah Mason (Chief Officer CALC). The Merrymeet Residents Association has offered to weedspray their area voluntarily. This is a summary of their respective positions:

2.2 Cormac: weedspraying in Merrymeet (as described in the specification) would be taking place on Cornwall Council owned land, and so permission for spraying would need CC permission. In order to obtain permission, any contractor (or voluntary group) would need to demonstrate their competence in carrying out the work, provide a risk assessment for the work, provide details of their insurance cover, and successfully submit a sample of the herbicide to CC for approval. The contractors that the parish council have engaged previously have satisfied these conditions. *However, CC does not routinely spray weeds anywhere in the county and will not approve the use of glyphosate-based herbicides or supply protective gear or training in its use.*

Note: Biffa are contracted to sweep the road/pavement ridge with mechanical cleaners. Although they will remove weeds growing there so some extent, this is not their primary purpose.

2.3 CALC: the Cornwall Association of Local Councils advise that any group or individual can volunteer to manage weeds anywhere in the parish. If they are not supported or managed by the parish council, they are free to carry out whatever work they wish (subject to 2.1 above). However, if the parish council wishes to form a formal relationship with them (providing tools, equipment etc) then councillors need to be aware that allowing them to cherry-pick which areas they will manage (an area that is different from the specification the council previously agreed) can lead to accusations of favouritism (supporting a group or individual to manage their own patch) or neglect (by not providing the same service across the whole of the area that was originally specified).

2.4 Other councils: Cornwall Council does not treat weeds anywhere in the county (apart from the statutory requirement to remove invasive weeds such as Japanese knotweed). A general request to adjacent parish councils about their weed management arrangements produced one response from St Ive PC (where volunteers hope their own weeds with support from Cormac).

3.0 The alternatives

3.1 In practical terms, weeds may be removed mechanically with a strimmer or hoe, the debris being cleared up and disposed of separately. If this is an organised project (so not something carried

out informally by individual people), CC would need to give their approval and be subject to their usual risk assessments and insurance cover.

4.0 Insurance

4.1 Any organised group or contractor that carries out work on Cornwall Council owned land needs to have appropriate insurance cover. A commercial contractor will be able to demonstrate this, and some organised voluntary groups already have the necessary insurances in place.

4.2 If a small group wishes to carry out work on CC owned land and does not hold the appropriate insurance, then they must either fund their own OR be commissioned by the parish council (who can use their own insurance albeit with appropriate safeguards) OR enter into an agreement with Cormac who can provide insurance cover (with appropriate safeguards but see 2.2 above).

5.0 The options

Based on the information available at the moment, these are the choices for weed control on Cornwall Council owned land:

5.1 Do not carry out any weed control across the parish

Not treating weeds may lead to complaints from residents. Councillors may wish to manage individual areas as they are reported after assessing the need. You will need to agree who will carry out the work and what methods they should use. There will be cost and risk implications for this option.

5.2 Employ a recognised and experienced contractor

Review the frequency and scope of the work to reduce the cost.

5.3 Make an agreement with a voluntary group to carry out the work with parish council support

Councillors will need to decide what areas they will cover, what kind of support they will provide, together with the cost and risks associated with it. Using herbicides will require higher levels of certification.

Mechanical methods (for example, strimming or hand-hoeing) will need lower levels of certification.

There may be complaints from residents that the council is favouring some areas over others.

5.4 Allow voluntary groups or individual residents to manage their own areas of choice without any parish council intervention and instead be supported by Cormac. This may be an opportunity to take advantage of the Community Trailer scheme where Cormac will supply litter pickers, waste bags and other tools for volunteers to use for weeding, and then to dispose of the green waste.

There may be complaints from residents who are unable to manage their own areas and believe that the council is obliged to maintain all areas to keep them tidy and safe.

John Hesketh, Parish Clerk

11 November 2022