

# Normandy Parish Council

Serving Our Community through working in Partnership

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## Herbicide and Pesticide Policy

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## 1. Aim

1.1 Under s40 of the Natural Environment and Rural Communities Act 2006 there is a duty on public authorities including parish councils to have regard to conserving biodiversity as part of their objectives.<sup>1</sup>

Moreover, this has been strengthened in s102 of the Environment Act 2021 to include an enhancement criteria as part of their “general biodiversity objective” so that parish councils should<sup>2</sup>:

- Consider what can be done to conserve and enhance biodiversity
- Agree policies and specific objectives based on this consideration
- Act to deliver policies and achieve these objectives

One area that the parish council consider would assist in this objective is through the introduction of a pesticide and herbicide policy that reduces overall chemical pesticide use by favouring alternatives, including preventative, physical and suppression methods, where possible.

Minimising pesticide use will protect staff, users of the land, biodiversity and the wider environment from the impacts of chemicals.

## 2. BACKGROUND

### Current Use of Herbicides, Pesticides, Fungicides and Pest Control

#### 2.1 Council Owned/Managed Land

At present, the Council only permits the use of these chemicals through its Land Maintenance Contractor, appropriately qualified members of Normandy Conservation Volunteers and on the Normandy Allotments.

##### a. Land Maintenance Contractor

Herbicides are used to control weeds on paths, roadway and car parks on Manor Fruit Farm. This needs to be done by someone who has the appropriate qualifications and permits to apply legally permitted herbicide on public land. Any job involving the application of pesticides in a commercial role is required to take qualifications under the Plant Protection Products (Sustainable Use) Regulations 2012.<sup>3</sup>

##### b. Conservation Work

Normandy Conservation Volunteers have two members who have the qualifications and permits to spot treat/paint herbicide in public areas. The Estates Committee agreed to the advice from Surrey Wildlife Trust that non-native species (eg rhododendron, cherry laurel, bamboo) should have cut stumps treated to prevent regrowth.

##### c. Allotments

Rule 16 of our Allotment Agreement states:-

*The Tenant shall only use UK-approved, commercially available herbicides, pesticides, fungicides, weedkillers and chemical fertilizers on the Allotment and shall not use weedkiller or herbicide on any path adjoining the Allotment. The Control of Pesticides (Amendment) Regulations 1997 places responsibility on anyone who uses pesticides to ensure all reasonable precautions to protect the health of humans, creatures and plants, safeguard the environment, and avoid the pollution of water.*

*The Council recommends that Tenants cultivate their Allotment Garden with regard for wildlife. Weed control using mulch and removal by hand is preferred. The use of a foliar Glyphosate-based herbicide such as Round-Up should be*

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<sup>1</sup> <https://www.slcc.co.uk/new-government-guidance-on-biodiversity/>

<sup>2</sup> <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty>

<sup>3</sup> <https://www.hse.gov.uk/pesticides/using-pesticides/codes-of-practice/guidance-sustainable-use-ppp-regs-2012.htm>. Under this legislation there is also a requirement to give preference to products not classified as dangerous for the aquatic environment.

*restricted to one-off use in cases of severe infestation by deep-rooted perennial weeds such as bindweed, mares-tail and couch grass. It should only be used on a non-windy day to avoid drift onto neighbouring Allotments. Thereafter, weeds should be removed by hand, or by deep digging. Tenants have a duty of care to store, use and dispose of any pesticides, fertilisers, weed killers and fungicides properly and in accordance with the manufacturer's instructions. All such materials must be locked away securely and out of the reach of children.*

At present, Normandy Parish Council does not have any reason to permit the use of Pesticides on the land it owns or manages. However, in the autumn of 2023 we discovered that Oak Processionary Moth caterpillars have been found on Normandy Common. Due to the issues this moth causes for both oak trees and humans, the Council will need to consider how to manage this species.

## 2.2 Leased Land to Sports Clubs

### a. Guildford Archery Club

GAC does not use any chemical control of pests on the land it sub-leases from NPC at Manor Fruit Farm. They only use chemicals in the cleaning of the Club Pavilion and equipment.

### b. Normandy Bowling Club

*The Chair occasionally uses a herbicide containing Glyphosate to keep the pétanque terrain and paths clear of weeds. This is a domestic grade systemic weed killer. It does not remain active in the soil and is the only domestic herbicide available nowadays.*

*Protective gloves are used during the mixing of the solution and spray limited areas when not occupied in calm conditions to avoid drift of the application.*

*This process is not generally carried out by members of the club.*

*All other areas of the surrounding ground that may contain wild flowers are either cut using a strimmer or mown.*

### c. Normandy Therapy Garden – an organic garden

### d. Normandy Tennis Club – have not responded

### e. Normandy Cricket Club Herbicide Policy is as follows:-

*Our policy is to use the services of a 3rd party specialist company, Complete Weedcontrol. Established in 1972, they provide nationwide coverage and hold various ISO accreditations. As such we are comfortable with engaging them in the knowledge that they are a long-established professional operation with a sound track record and one of two suppliers used by Guildford BC. They provide 2 treatments on the Outfield:-*

*Approx March - moss treatment - iron sulphate incorporated in a liquid fertilizer to kill moss and encourage grass growth.*

*May - weed control using selective herbicides. They currently use Praxys selective herbicide, applied by spray boom on the back of a vehicle.*

*All operatives hold the appropriate NPTC City & Guilds qualifications entailing both the correct use of herbicides and storage / handling. Only legally approved products are used and at the correct dosage rates taking into account the Local Environment Risk Assessment for Pesticides (LERAP) undertaken.*

*The contractor only sprays if conditions are suitable as per the information on the selective herbicide label. (ie no wind and the grass is suitably dry and not raining).*

*Cuttings are not removed from the field, but are left to return to the soil.*

*Other methods such as overseeding are also considered for the two outfields, although the application of this would entail significant costs of roughly £1800 for each outfield given they are approximately 1.8 hectares in size. Scarifying the outfield to allow for better drainage may not be helpful given the base underneath the soil is extremely dense and potentially non-porous (newer pitch only).*

*Whilst not directly involved in this process, the cricket club groundsman is also PA 1,2 and 6 qualified in the application of pesticides.*

*The Square is managed by the groundsman who also advises the club on the wider grounds management. If he uses a herbicide, he uses spot treatment on the square.*

*Treatment of selective herbicide is not every year and depends on the level of weeds in the outfield.*

*At the end of the season the square is scraped of turf and 'thatched cut grass', this is then placed around the edges of the pitch. The square is re-seeded and top-dressed.*

To support the Council meeting the requirements of the HSE, all tenants and lessee must confirm in writing to the Clerk, sending a list of herbicides used and appropriate qualification of those applying them.

<https://www.hse.gov.uk/pesticides/using-pesticides/general/faq-agricultural-use-of-pesticides.htm>.

### **3. THE POLICY**

#### **3.1 Definitions for this Policy**

##### **a. Pest:**

Plants, animals or other living things or viruses that are unwanted in the area that they are found and are creating a problem for recreational use, human and/or animal health or biodiversity in that area and so need to be removed or controlled.

##### **b. Herbicide:**

Chemical treatment to remove plants that are not required in an area. This term will be used when specifically referring to plants.

##### **c. Pesticide:**

Chemical compounds that are used to kill pests, including insects, rodents, fungi and unwanted plants (weeds). This term will be used when referring to all unwanted living things.

#### **3.2 Proposed Policy**

Normandy Parish Council aims to reduce the use of chemical pesticides on the land it owns, leases and/or manages. To this end there is a preference for non-chemical control of pests where possible using preventative, physical and suppression means outlined below.

The policy focusses on the use of herbicides and pesticides, rather than all biocides (chemicals that kill living things and can include paints, wood treatments, for example).

##### **3.2.1 Removal of unwanted plant species**

###### **3.2.1.1 Preventative**

Good soil preparation and use of appropriate plants and planting levels for the site to reduce the likelihood of weeds becoming established.

###### **3.2.1.2 Physical**

Hand removal or use of hand tools/hand-held machines to removed unwanted plants. Appropriate aeration of sports pitches to encourage good grass growth

###### **3.2.1.3 Suppression**

Use of mulches and weed-mats to reduce unwanted growth of weeds.

###### **3.2.1.4 Herbicide Use**

Only use herbicides when there is no alternative available. The use of all herbicides must comply with the following rules:-

- a. Only use herbicides approved under the Control of Pesticides Regulations 1986 which should be used in accordance with the product label. This may entail undertaking a Local Environment Risk Assessment for

Pesticides (LERAP), wearing personal protective equipment, observing mixing requirements, keeping buffer zones around water courses and observing storage and disposal requirements<sup>4</sup>

- b. Herbicides are NEVER to be used on or near to any river, lake or watercourse of any kind or where it is likely to have a detrimental effect on non-target flora or fauna. A suitable buffer is to be used when using chemicals on land close to water courses. This is usually at least 5m from the water area.
- c. Herbicides are only used at optimum times and suitable weather conditions, to reduce the dangers of spray 'drift'.
- d. Preferred use of herbicides is via use spot treatment of problematic species (hand sprayed, painted or similar and not blanket coverage) with the exception of the cricket club.
- e. For the NCC boom agreement, see annexe 1
- f. Cuttings from sprayed grass or other plants should not be composted on site where they can impact non-target plant species or other wildlife. If they are collected from the sprayed area, they ideally be removed off site or burnt, failing that they should be stored where they cannot impact water areas or other plants.
- g. Only permit trained and qualified staff; PA1 and PA6 qualified (relating to regulations and use of pesticides on public land) to use these herbicides on NPC owned, leased or managed land; that is accessible to the general public.
- h. Maintain an up-to-date register of what herbicides are being used on NPC land and who is applying them;
- i. Ensure that volunteers, staff, contractors, lessees and sub-lessees observe this policy and oversee such operations;
- j. All volunteers, staff, contractors, lessees and sub-lessees must follow the council's risk assessment before hazardous substances are used in different situations.
- k. All herbicides must be stored appropriately in locked areas, only accessible by the people who are qualified to use them. All containers must have the appropriate safety information on them.

### 3.2.2 Removal of non-plant pests

Overall, there should be tolerance of non-plant pests on Council owned/managed land unless there is a valid reason, (eg harm to humans or other living things, danger to buildings or livelihoods) to require the removal of these pests.

Where possible animal pests are to be removed humanely for example with live catch traps.

Given the requirement for local authorities to conserve and enhance biodiversity, the impact of any use of pesticides will need to be considered by the Council. For this reason the Council should be informed of any pesticide use even as a one off. Where this has the potential to impact the wider environment, the general public, pets or non-target wildlife species then written permission will be required from the Council beforehand, along with details of other alternatives considered. Once approved, appropriate notices must be erected, especially in the case of poisons that could impact pets or other wildlife. Fungi in trees will be left and if the fungi results in the tree becoming a danger, the tree will be felled or infected branches removed.

The Council and its tenants, sub-lessees and contractors must also observe the following regulations, and all subsequent guidelines and regulation amendments as they come into force:

- Health and Safety at Work Act 1974
- Health and Safety at Work Regulations 1992

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<sup>4</sup> Example for Praxys: <https://www.corteva.co.uk/content/dam/dpagco/corteva/eu/gb/en/files/labels/Praxys-label.pdf>

- Personal Protective Equipment (PPE) Regulations 1992
- Control of Substances Hazardous to Health Regulations (1994) (COSHH)
- Control of Pesticides (Amendment) Regulations 1997
- Natural Environment and Rural Communities Act 2006
- Plant Protection Products (Sustainable Use) Regulations 2012
- Environment Act 2021

**Annexe 1:**

To enable the Cricket Club to manage the grounds safely, the Council has agreed with the club that they should continue to spray with a boom from a motorised vehicle. The club and Council have agreed that: there will be a 5m unsprayed buffer zone around both pitches to reduce impact on non-target species and notices will be put up on footpaths leading to both pitches a day ahead of the proposed spray date to warn other users to keep off that area.