

From: [REDACTED]

Subject: FOI 13026

Date: 9 December 2019 at 14:07:11 GMT

To: [REDACTED]

Hi [REDACTED]

I would like to request all information relating to the use of glyphosate and glyphosate based products by the council.

I would also like to request all correspondence, and all information relating to discussions, within the council and between the council and members of the public, regarding the use of glyphosate and glyphosate based products.

Please see attached for the reports that went to council on 25th of June 2019, the SNP motion from the council meeting on 7th May 2019 and minutes from council meeting on the 7th May 2019, minutes from the Council meeting on 25th of June that were presented to council meeting on the 20th of August. In addition, Midlothian council meetings are webcast and can be found on our website.

To note, attached is correspondence received from APSE and from NFU Scotland in relation to Glyphosate. To note, any correspondence from members of the public or third parties relating to the decision of the report dating 25th of June cannot be released to you as it contains third party and personal information and therefore exempt under section 38 (1) of the Freedom of Information Act 2002. Most of the correspondence is in relation to members of the public making enquiries into weed killing where in general the response to these enquires has been an update on the councils current position as set out below.

Please provide this information for the period January 2015 - present.

Firstly, please provide an update of the situation following the report on 25 June 2019 by Kevin Anderson, recommending that glyphosate use be reinstated after a temporary moratorium. What decision was made? Please provide any documentation of the decision making process, and the plan for the future including which alternatives, if any, will be used.

Following the report on 'Glyphosate Weed Killers' that went to Midlothian Council on 25 June, 2019, Councillors agreed to cease using glyphosate weed killers on Council-owned land with the exception of invasive species such as

Giant hogweed and Japanese knotweed, etc., whilst honouring the contracts entered into regarding ground maintenance on non-Council owned land provided there is no net additional cost to the Council. The initial moratorium was agreed due to concerns for bees.

This has resulted in Cemeteries, Council Housing Estates and Council run schools being untreated whilst the contracted private housing developments, Melville HA areas and the SKANSKA and BAM schools being treated. Therefore the majority of Midlothian amenity and green space will have weed control, as this is not in direct Council ownership, however our Town Centres, Cemeteries, Schools and Council house areas will not be treated.

The report to Council in June detailed that the standards of maintenance within Midlothian would deteriorate. At this time the weeds are not being treated and we do not have the resources to hand weed etc.

Council officers will be providing Councillors with information on alternative strategies over this month and next. Alternative products that are being looked at include Katoun Gold and (Pelargonic Acid). Alternative methods are being considered and the costs the Council would incur if we ceased to use Glyphosate long term, as well as researching alternative control methods such as hand weeding, brushing, strimming and hot water treatments. Quantifying and determining exactly what is required for alternative methods is still ongoing. At this time officers estimate that 20 additional staff may be needed to fully provide weed control across the county using some of the manual based alternative methods.

Details of any decision making on the use of glyphosate can be found in the attached reports that went to council including minutes from these meetings.

Secondly, for each year (2015-2019), please state:

- a) The quantity of glyphosate or glyphosate based products used, in litres, and method of application – Weed killer used as a controlled application by spray. See attached excel spreadsheet for litres purchased and amount of spend.
- b) The amount spent on glyphosate or glyphosate based products: purchase, storage and application - See attached excel spreadsheet for litres purchased and amount of spend. We do not hold records of storage spend. The current spend on weed control is approximately £110,000.00 per year for the last 5 years.
- c) Where were glyphosate based herbicides used - for all weed control or only on certain surfaces/ground types/areas? If the latter, please specify where these

products were used - in school grounds, parks, pavements, tree bases, flowerbeds, only on hard surfaces etc? We spray all roads, pavements, grass edges and shrub beds twice a year in all locations that the council are responsible for. Shrub beds may have been sprayed more often if required.

d) Are there certain neighbourhoods or facilities where it was not used? No

Number of complaints about weeds

Number of complaints about herbicide or pesticide used

Complaints are recorded on our Customer Relationship Management system and we cannot determine this level of detail from our reporting system without manually reviewing complaints individually, I have carried out word searches on formal complaints made containing the words “weeds”, “herbicide” and/or “pesticide” and found 78 formal complaints over the last 5 years. (1 of which contains the word “pesticide”).

Finally, please answer the following:

What safety measures are in place to protect the worker applying the product, the public, pets, the environment, and wildlife?

All staff are trained and certificated to undertake this task (PA1 and PA6). Staff are issued with suitable Personal protective equipment. Please see attached report dated 25th of June where officers have provided background information on the use of Glyphosate and the environment.

Please be advised that an applicant who is dissatisfied with the way in which Midlothian Council has dealt with his/her request for information under section 1(1) of the FOISA, by virtue of section 20 of the FOISA, may require Midlothian Council to review its actions and/or decisions in relation to that request. Details of Midlothian Council's complaints procedure under the FOISA are set out in the section outlined as follows:

Midlothian Council’s Complaints Procedure under the FOISA:

An applicant who is dissatisfied with the way in which Midlothian Council has dealt with his/her request for information under section 1(1) of the FOISA, may, by virtue of Section 20 of the FOISA, require Midlothian Council to review its actions and/or decisions in relation to that request.

If you wish Midlothian Council to review its actions and/or decisions with respect to your request for information, you should write to the Director, Corporate Resources or other official whose name is printed at the top of this letter. That official will arrange for your application for review to be considered. Thereafter he will write to you informing you of the decision by not later than twenty working days after receipt of your request requiring that a review be made. By virtue of Section 21 of the FOISA, you will be provided with a statement of reasons for arriving at the decision made.

Your request for review should reach Midlothian Council **within 40 working days.**

Requests for review must be in writing (or in another form which has some permanency and is capable of being used for subsequent reference e.g. audio/video tape recording). You must:-

- state your name and address for correspondence;
- give details of the information which you originally requested from Midlothian Council; and
- state the reasons why you are dissatisfied with the way in which your application for information has been dealt with.

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Your Right to Complain to the Scottish Information Commissioner:

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Under Section 47 of the FOISA, a person who is dissatisfied with the outcome of their request for review by the Council may apply to the Scottish Information Commissioner to determine whether their request (or any part of it) has been properly dealt with.

An application to the Scottish Information Commissioner must be made in writing (or in another form having some permanency eg an audio/video tape recording) within six months of receipt of a Section 21 Notice by the applicant. The applicant must specify:-

- a) his/her name and address for correspondence;
- b) the request for information to which the requirement for review by Midlothian Council related;
- c) the matter which gave rise to the applicant's dissatisfaction with the way in which Midlothian Council dealt with their original request; and

- d) the matter which gives rise to the applicant's dissatisfaction relating to the review by Midlothian Council.

The Scottish Information Commissioner can be contacted at:-
Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St
Andrews, Fife, KY16 9DS
(Telephone – 01334 464610; Fax - 01334 464611; Email –
enquiries@itspublicknowledge.info)

Thanks



Lead Performance and Improvement Officer
Business Applications
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If you have received this message in error or there are any problems please notify the originator immediately.
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