

7th September 2020

## AGENDA

Dear Councillor  
You are summoned to a meeting of the:

**Environmental Service Committee**  
**on Monday 14<sup>th</sup> September 2020 at 5.30pm**  
**to be held online**

### Membership:

<b>Cllr Jeffries (Copheap)</b>	<b>Cllr Nicklin (West)</b>
<b>Cllr Fraser (West) Chairman</b>	<b>Cllr Ridout (West)</b>
<b>Cllr Fryer (Broadway) Vice-Chairman</b>	<b>Cllr Spender (Broadway)</b>
<b>Cllr Macfarlane (West )</b>	<b>Nigel Linge Co-opted member</b>

Copied to all other members for information.

Normally, the committee would meet in person and provide an opportunity for members of the public to attend. However, during the current emergency, this is not possible, and the Government have put in place Regulations that allow 'Virtual' committees to be convened and held to conduct local authority business.

The Council has adopted appropriate procedures to ensure the smooth administration of such virtual meetings.

If you wish to attend the meeting and speak in public participation please contact [admin@warminster-tc.gov.uk](mailto:admin@warminster-tc.gov.uk) at least a day prior to the meeting to enable this to be facilitated and you will be sent a link. If you wish to view the meeting please see the link on the Warminster Town Council Website [www.warminster-tc.gov.uk](http://www.warminster-tc.gov.uk) in the meetings diary.

Yours sincerely



**Fiona Fox BA (Hons) MCIPD FSLCC**  
**Town Clerk and Responsible Financial Officer**

1. **Apologies for absence**  
**To receive and accept** apologies, including reason for absence, from those unable to attend.
2. **Declarations of Interest**  
**To receive** any declarations of interest under Warminster Town Council's (WTC) Code of Conduct issued in accordance with the Localism Act 2011.
3. **Minutes**
  - 3.1 **To approve and sign** as a correct record, the Minutes of the Environmental Services Committee meeting held on Monday 13<sup>th</sup> July 2020; copies of these minutes have been circulated and Standing Order 12.1 provides that they may therefore, be taken as read. (These will be signed by the chair when COVID 19 restrictions are lifted.)
  - 3.2 **To note** any matters arising from the minutes of the Environmental Services Committee meeting held on Monday 13<sup>th</sup> July 2020.
4. **Chairman's Announcements**  
**To note** any announcements made by the chairman.

***Standing Orders will be suspended  
to allow for public participation.***

5. **Public Participation**  
**To enable** members of the public to address the committee with an allowance of three minutes per person regarding any item on the agenda and **to receive** any petitions and deputations. The chairman will read any statements submitted.

***Standing Orders will be reinstated  
following public participation.***

6. **Reports from Unitary Authority Members**  
**To note** reports provided which are relevant to this committee
7. **Environmental Services Policies Working Group**  
The Environmental Services Policies Working Group has produced draft policies with regard to: Grounds Maintenance, Litter Bins, Pesticides and Trees. **(Attached)**  
**Members to review and approve.**
8. **Communications**
  - 8.1 **The members to** decide on items requiring a press release.
  - 8.2 **The members to** confirm their spokesperson for any item listed on the agenda to report on the Council's decision if required.

**The date of the next meeting Monday 12<sup>th</sup> October 2020 at 5.30pm**

Minutes from this meeting will be available to all members of the public either from our website [www.warminster-tc.gov.uk](http://www.warminster-tc.gov.uk) or by contacting us at Warminster Civic Centre.

## Draft Grounds maintenance policy document

### Grass Cutting

Warminster Town Council (WTC) is responsible for maintaining approximately 353,019 square meters of verges (Currently 98,551m<sup>2</sup>), parks and open spaces, conservation and amenity grass within the town. WTC is not responsible for all highway verges or Housing society sites.

The areas maintained by WTC are maintained at different specifications and frequencies of cut depending on the site.

Site	Description	Frequency of cut	Cuttings
Fine Turf	Putting Green	Twice per week throughout growing season	Collected
High use amenity	Sports Pitches, Play areas, Parks, Church Yards	Weekly or Fortnightly dependant on site.	Left as flown/mulched
Amenity	Verges and open spaces	13 cuts per year	Left as flown/mulched
Low use Amenity	Banks in parks, Open space boundaries	3 cuts per year	Left as flown/mulched
Rough Cut	Wildlife area	1 cut per year	Left as flown/mulched
Wildflower meadow	Designated Sites	2 cuts per year. One in March/April and one in September/October	Collected
Hay meadow	Designated Sites	1 cut per year. One in June/July	Collected

WTC recognises the need to reduce grass cutting in certain areas in order to increase biodiversity etc. WTC supports the concept of B-Lines, of 'insect pathways' running through our countryside and towns, linking existing wildlife areas together, benefiting bees, butterflies and other wildlife.

WTC will endeavour to highlight sites to maintain as 'conservation sites'. Before any site is designated as a conservation site a survey will be undertaken by officers to assess the sites suitability. This will be followed by a public consultation where appropriate.

WTC will also look to establish more rough cut sites where mowing is reduced to once per year. The same process will be followed.

Where an area has been designated Wild Flower Meadow paths will be cut through the area to allow walking access. A clearly defined boundary will also be marked.

WTC are aware that long grass in areas frequently used for dog walking can increase the amount of dog faeces and litter on site. This can have a detrimental effect for both biodiversity and members of the public. Officers will monitor the areas and take appropriate action should unacceptable levels occur.

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# **Pesticide Policy - The use of Pesticides for Grounds Maintenance**

## **1. Introduction**

Warminster Town Council (WTC) aim to provide a high standard of grounds maintenance for all of its sites. These sites include parks, recreation grounds, environmental sites, open spaces and play areas.

To achieve these high standards Warminster Town Council and contractors employed by WTC use pesticides. This included herbicides, fungicides, and insecticides, collectively known as “pesticides”. It is the aim of the council to stop using pesticides, by a phased reduction of use on its land.

This policy for the use of pesticides identifies how we propose to reduce, monitor and control the use of pesticides, using alternative methods wherever possible.

## **2. Environmental Considerations**

The use of pesticides can have a devastating effect on our environment and its biodiversity. When used on hard surfaces, such as pavements, there is a possibility of run off or residues which can contaminate water courses and contaminate aquatic wildlife. When used on soft surfaces, such as vegetation or grass swards, there is a possibility of spray drift and contamination of adjacent areas.

## **3. Why do we still use pesticides at all?**

Although every effort will be made to use non-chemical control, there will still be some areas where alternative methods are not currently available or effective. Wherever this is the case, integrated control will be practised wherever possible, i.e., a combination of cultural and pesticide use, to resolve a problem with the least effect on the environment.

One of the main areas where pesticides will still be used will be for maintaining fine turf areas such as putting greens. However, this use will be minimised, and alternative methods used as a first choice.

The use of pesticides will be permitted for the control of tree stump regrowth. Fungicides, to prevent and remove fungal attacks on grass, will be permitted due to necessity. However, grounds maintenance improvements such as increased aeration/ brushing have and will continue to be increased in our grounds maintenance specifications to reduce the occurrence of fungal attack and therefore reduce the need for fungicide application.

Herbicide has frequently been used to prevent damage when cutting to trees and headstones in cemeteries and church yards it is also widely used along walls and

fences. Alternative methods will be sought where possible. However, they will still be used to prevent damage to memorials in cemeteries and churchyards. Selective herbicides will be permitted for use on fine turf and sports pitches to control broadleaf weeds. Selective weed killing will only take place where there is weed growth affecting the use of the area for sports, and will not be applied when there is not a weed problem. However, hand weeding where possible will always be encouraged in our grounds maintenance contracts. The maintenance of hard surfaces such as paths, garage blocks, highway weeds etc, on a large scale, will still require the use of herbicide. However, when this operation is carried out, weeds will be individually targeted (reduced – volume spraying) by the applicator, therefore considerably reducing the amount of herbicide used, and preventing any excess herbicide being lost into the environment. “blanket treatment” i.e., spray applied to cover the area, whether weeds were present or not will not be carried out on our sites.

The only other occasion where pesticides will be applied is for one-off tasks. This may include where there is a particular weed problem with a shrub bed, where an area of land has to be cleared of perennial weeds for a particular purpose, or where an invasive weed, such as Japanese knotweed, Parrots Feather, Giant Hogweed, Hemlock Water Dropwort etc has to be controlled.

**On all these occasions, a pesticide will only be used if no alternative non pesticide option is suitable.**

#### **4. Alternatives to Pesticide use**

A. Non chemical methods of pest / vegetation control will be used as a first choice wherever possible. The number of alternatives are currently limited, however, with a growing trend towards reduced pesticide use, and with current concerns over the use of Glyphosate based products, it is likely that the number of alternatives will increase significantly in the future.

B. A selection of alternative control methods is shown in the appendixes.

#### **5. Pesticide Free sites**

The reasons for wishing to go pesticide free are numerous, but include:

- Contamination of local water supplies
- The potential impact of pesticides on human health, the environment, biodiversity and pollinator populations
- Public concern

The aim of creating pesticide free sites is to create areas which are safe for children, adults and wildlife. When weed or pest control is needed, only environmentally friendly solutions will be used.

WTC will endeavour to make the Lake Pleasure Grounds and all children’s play areas pesticide free by January 2022.

## **6. What pesticides will we use**

We will continuously review the pesticides that we have to still use, taking into account trade literature reports and advisory reports from various bodies such as the Health and Safety Executive. Instances where the use of a pesticide *may* still be required after nonchemical methods have been found to be unsuitable will include: Control of weeds such as Japanese knotweed, Hemlock Water Dropwort, and Hogweed. Control of weeds where no other solution currently exists i.e. sports turf weeds Control of weed growth on highways, hard standings and some housing areas.

## **7. Glyphosate**

There is currently particular concern regarding Glyphosate weed killers, which are widely used on hard surfaces and to clear vegetative sites. Glyphosate will be used only as a last resort.

## **8. How will we limit the effects of the pesticides that we do to use?**

When approving and applying pesticides, we will:

- Use the most efficient method of application.
- Where possible, not apply a blanket cover of chemical.
- Ensure that spare pesticides/containers are disposed of safely in an approved manner.
- Ensure that spray equipment is washed out in a safe manner according to the approved method, to safeguard the environment.
- Ensure that the application method is approved for the product used.
- NOT use any pesticides in pesticide free areas.

## **9. Who will apply pesticides?**

Any person applying a pesticide to the Councils land will hold a Certificate of Competence (irrespective of age), as issued by the NPTC, appropriate to the type of equipment/spraying technique to be used.

Copies of these certificates will be made available to the Council as evidence of competence.

Pesticide applications, subject to approval, may be made by the following:

- Directly employed staff
- Grounds Maintenance Contractors
- Specialist Contractors

## **10. Legal Requirement**

Where it is necessary for pesticides to be applied on Council maintained and owned land, these will be applied in such a way that it conforms fully with the latest Health

and Safety Legislation (primarily the Health and Safety at Work etc Act 1974 (HSWA)) and Pesticide Legislation (The Plant Protection Products (Sustainable Use) Regulations 2012 & Control of Pesticides (Amended) Regulations 1997).

The Plant Protection Products (Sustainable Use) Regulations 2012 states that: precautions are taken to protect human health and the environment;

- the application is confined to the area intended to be treated; and when used in public spaces that the amount used and frequency of use is as low as is reasonably practicable.
- suitable alternative methods of control are considered and used where appropriate to help minimise your use of chemicals.
- Pesticides will only be used in accordance with the statutory listings on the product label.
- Prior to application, full Risk Assessments/COSHH Assessments will be carried out, and a data sheet for the pesticide will be read and complied with.
- All those involved in approving/applying pesticides will be made aware of this Pesticide Policy.

## **11. Grounds Maintenance Specifications**

To ensure that our contractors comply fully with our council's requirements, all grounds maintenance specifications will include detailed information of the council's pesticide policy, the requirements for pesticide free / pesticide reduced areas and for the conditions for the use of pesticides where essential. The use of pesticides will not be permitted in any new contract unless no other suitable alternative is available.

## **12. How will we monitor the use of pesticides on our sites**

- Detailed and accurate spraying records will be kept.
- Contractors will be required to submit a proposed spraying sheet for approval prior to any pesticide being applied. This will describe the type of pesticide to be used, active ingredient, trade name, area where the pesticide is to be applied, rate of application, calibration, safety considerations proposed date of application, operative who will be applying the pesticide etc.
- A report will also be supplied by an officer after application, confirming the above details, and including additional information such as weather conditions.
- The following records will also be kept and retained as required:
  - I. Environmental Assessments.
  - II. Local Environment Risk Assessment for Pesticides (LERAP).
  - III. COSHH Assessments.
  - IV. Stock Control Records.

<b>Method</b>	<b>Use</b>	<b>Advantages</b>	<b>Disadvantages</b>
Hot Foam	Weeds in hard surfaces Moss on hard surfaces and play area safety surfacing, Grass growth around trees, non chemical graffiti removal.	Foam holds hot water against plant. Pesticide free. Can be used in all weather. Kills 95% of targeted weeds.	New technology – needs refinement. Expensive to purchase Additional cost of plant oil extract, diesel consumption and pollution.
Hot Water / Steam	Weeds in hard surfaces, play area surfacing, non chemical graffiti removal.	Lower initial purchase cost.	Requires more treatments as heat is not held onto the plant. Diesel consumption and pollution.
Propane / Flame gun	Weeds on hard surfaces	Relatively cheap to purchase	Health and Safety Risks. Not particularly effective.
Manual Weeding	Weeds in general	Very effective if done well. Low set up costs (excluding labour).	Very time consuming. Requires large amount of labour which adds to the cost.
Mulching – bark and or membrane.	Weed control within shrub borders, under trees etc.	Improves appearance of the site and retains moisture in the soil to aid plant growth.	Can be labour intensive. May be expensive depending on supply of material
Mowing and hand pulling	Undesirable weeds in sensitive natural habitats	No licence required and no damage to the environment	Can be labour intensive to carry out and expensive for disposal of specific species
Nematodes	Control of pests such as slugs.	Can be very effective. Does not have the negative visual effect of slug pellets or potential harmful effect on birds.	Can be expensive
Vinegar based solutions	Weeds in hard surfaces	No licence required for application.	Has been trialled, but has not been effective. Strong smell, can give operator headache.
Annual Flower Mix Planting	Planting around trees and fence/wall lines	Helps pollinators, provides a safe boundary between the obstacle and the grass being cut.	Can be expensive,

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# **Draft Tree Policy**

## **Summary**

Warminster Town Council (WTC) has a responsibility to manage trees on land it owns or administers. The Council recognises the value of trees in providing biodiversity, combating climate change and promoting human wellbeing. It will seek to protect trees, to save rather than remove damaged trees and replace any trees that are removed with appropriate additional trees. A minimum two new trees will be planted for each old tree removed.

## **Maintenance and safety inspections**

WTC owned/maintained trees are inspected for safety on every 2 years. Warminster Town Council (WTC) is progressively bringing all its trees into an active programme of management.

<b>Zone</b>	<b>Description</b>	<b>Inspection frequency</b>
1	Parks, Play areas, Recreation Grounds	Every Two Years
2	Amenity land	Every Two Years
3	Woodland/wildlife areas	Every Two Years

Ongoing maintenance includes the removal of dead wood, formative pruning (to remove problems in tree form when the tree is young to avoid problems later), removing low branches from pathways and the removal of trees when they come to the end of their safe and useful life. The way that trees are managed very much reflects where they are and ultimately the amount of space they have to grow.

Trees in parks and green spaces are managed to reflect the circumstances of Page any one site and the type, age and condition of the trees. Trees in parks generally have more room to grow compared to the street and typically grow to their full height and spread.

Other council managed trees are managed via more informal arrangements largely outside an active programme.

## **Basal growth around tree trunk (epicormic)**

Some species of tree produce basal/sucker/shoot (epicormics) growth each year. We will remove this growth from trees where it will cause an obstruction as part of an annual work programme. This work takes place between July and September.

## **Pollarding**

Some of our trees are regularly re-pollarded as part of a rolling programme.

Re-pollarding is a procedure where all soft growth is removed from the canopy of a tree leaving only the framework of the larger branches. This work is expensive and visually quite harsh, but necessary to keep trees at a maximum size.

## **Council tree issues**

### **Bird droppings**

We do not prune or remove a council tree to stop or reduce bird droppings from trees, or remove bird droppings from private land. Information and advice

1. Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act (and other related wildlife law). Warm soapy water is usually sufficient in removing bird droppings.
2. You are welcome to exercise your Common Law right to remove the nuisance associated with encroaching trees.

### **Blossom**

We do not prune or remove a council owned tree to stop or reduce blossom from trees or remove fallen blossom from private land. Information and advice

1. Blossom is a natural occurrence, which cannot be avoided by pruning.
2. Roads, streets foot or cycle paths swept of excessive blossom as necessary. Similarly, paths through parks and green spaces will be swept of blossom as part of normal cleaning cycles.
3. If you wish to exercise your Common Law right to remove the nuisance associated with encroaching trees - see Common Law Right.

### **Low tree branches**

We will carry out work to a WTC owned/ maintained tree to maintain a minimum:

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance Information and advice

1. Any works necessary to prevent an obstruction in the width of a carriageway, cycle or foot path associated with the highway due to the presence of a council owned tree would be considered on a case-by-case basis.

### **Tree overhanging property**

We do not prune or remove a council owned tree to stop the nuisance of overhanging branches. Information and advice

1. You have a Common Law right to cut back any branches encroaching onto your property; this is only from the point where they cross over onto your boundary.
2. Before you consider doing any works to a tree(s) you should find out if it is protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application to Wiltshire Council.

## **Drains**

We do not prune, remove or cut the roots of a council owned tree to prevent roots entering a drain that is already broken or damaged.

Tree roots typically invade drains that are already broken or damaged. Trees themselves very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe. If you are concerned about the condition of your drains we advise you to contact your water and sewerage company.

## **Leaves**

We do not prune or remove a council owned tree to stop or reduce leaf fall or remove fallen leaves from private property.

1. The loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.
2. The maintenance of gutters is the responsibility of the landowner and the council is not obliged to remove leaves that may have fallen from council owned trees.
3. For roads, including foot and cycle paths that run alongside, extra teams work in the autumn to clear fallen leaves.
4. In parks and green spaces, foot, cycle paths and areas of hard standing are regularly cleared of fallen leaves, but leaves on grass / shrub beds are generally left until the majority of leaves have fallen before they are removed (unless leaving them would damage the grass in which case the leaves would be removed sooner).

## **Tree too big / too tall**

We do not prune or remove a council owned tree because it is considered to be too big or tall.

A tree may seem too big for where it is, but this doesn't make it dangerous.

Our trees (excluding woodland areas) are inspected for safety. We inspect them every one to five years, depending on how much the area surround them is used. Maintenance will be carried out, if necessary.

## **Vandalism**

We will look into any reports of vandalism to a council owned/maintained tree and try to correct any damage where we can.

We protect newly planted trees with metal guarding, which is removed once the tree has become established, usually three years after planting.

Crime and anti-social behaviour should be reported to the police.

## **Common Law Right**

You have a Common Law right to remove a nuisance associated with trees. The following advice is given if you wish to exercise your Common Law right:

a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. You have no legal right to cut or remove any part of a tree that does not overhang your property.

b) You are strongly advised to consult an Arboricultural Association Registered tree surgeon ([www.trees.org.uk](http://www.trees.org.uk)) for guidance on how best to prune back encroaching trees, unless the works are small enough to do with hand secateurs or similar.

c) Before you consider doing any works to a tree(s) you should find out if it is protected by a Tree Preservation Order or are within a Conservation Area. If the trees are protected, you will need to gain consent by making an application to Wiltshire Council.

d) You are advised to discuss with your neighbour your intention to prune overhanging branches. Legally you do not own the overhanging branches and you should offer these to your neighbour. But in all likelihood, you should consider disposing of the cuttings yourself. If the overhanging branch is from a WTC owned tree, any cuttings must be disposed of appropriately and not returned to WTC land.

# Litter and Recycling Bins

## 1.0 Introduction

Warminster Town Council (WTC) has no legal duty to provide litter bins but it does have a duty under the service delegation from Wiltshire Council to keep Council maintained and owned land and public highways clear of litter and refuse as far as practicable. WTC will comply with the Code of Practice for Litter and Refuse (CoPLR) to carry out this duty.

Bins are provided, maintained, and emptied as a method of controlling the litter and waste problems. There are approximately 192 litter bins in varying condition across the town. This is a large number for the size of the town a gradual reduction in the number is part of the council's policy. People are encouraged to take litter home with them, especially when it can be recycled. The Council will run education campaigns on this issue and anti-littering.

Whilst the council is committed to providing sufficient bins to help discharge its responsibilities under the Environmental Act 1990, new and replacement bins will only be located in areas where it can be demonstrated that there is a genuine need for one. All locations must be approved by Warminster Town Councils authorised officer.

## 2.0 Requests for New or replacement Bins

All requests for new bins must be received in writing. The request must demonstrate why there is the need for a bin and include:

- Plan of the location for the bin and type of Bin

If WTC feel the request is well founded the following will be carried out.

- A risk assessment determining any hazards that the placement of the bin may cause to members of the public or WTC staff or contractors

Bins will only be supplied, installed, maintained or emptied if they are on land for which WTC has responsibility. Should a third party request a new or replacement bin on their land WTC will consider the request, and if approved a bin will be supplied and installed at a cost to the third party. The responsibility of emptying such a bin would remain with WTC and a charge made for this service in advance.

Where deemed appropriate litter bins with recycling facilities may be installed instead of, or in addition to, standard litter bins. Public consultation may be undertaken in some circumstances, such as when bins are proposed in close proximity to houses.

As there are on-going human and financial resource implications with the installation of any new bin, due consideration should be given to all requests for bins using the criteria below:

### 2.1 Site Survey:

A site survey, to include the following criteria:

- Suitability of the location including the need to reduce street clutter, particularly in more sensitive locations such as Conservation Areas and near to listed buildings.

- Scale of the litter/waste problem- will it make a real impact on litter or can this be addressed in other ways e.g. by enforcement. This may include a survey of litter/waste over a three-month period
- Number and location of existing bins in the area.
- Accessibility to all including collection vehicle.
- Cost of installation.
- Costs for emptying the bin as some in more remote areas can have disproportionate transport costs.

If WTC deems the location to be unsuitable for reasons of safety, such as stopping to empty a bin, an alternative location may be suggested.

WTC will not install bins in a location which may encourage the disposal of trade waste. The EPA 1990 makes provision for the collection and disposal of commercial waste, and the Council expects businesses to provide and empty their own bins for the litter they create, including retail premises such as takeaways, kiosks etc.

### **3.0 Emptying and Maintaining Bins**

Only those bins owned or inherited under the service delegation from Wiltshire Council will be maintained and emptied, or those with an agreement with the owner.

Bins will be emptied on such a frequency that will prevent them overflowing. This will be based on their locations and related to the intensity of use. The frequency may also vary according to the time of year and for special events. Monitoring will ensure that these frequencies are sufficient. All bins will be maintained to a standard that is fit for purpose. When a bin is damaged or stolen it will be replaced only if it meets the criteria above for new bins. Any bins that have a history of constant vandalism will not be replaced.

### **4.0 Replacing and Removing Existing Bins.**

The Council will aim to improve the effectiveness of individual bins through a program of removal and replacement, using larger capacity bins where required. We will monitor the usage of bins to determine their viability. Bins being used infrequently may be removed. Where individual bins are repeatedly targeted with vandalism, a flexible approach to finding a suitable solution should be found. This may include using a different type of bin, moving the bin to a nearby location or removing the bin entirely.

### **5.0 Recycling Litter bins**

Much of the waste collected in litter bins could be recycled. The Council will consider in high use locations such as the town centre the installation of split litter bins (one side DMR the other for general waste).