



LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS to be made by the Lead Member for Transport and Environment,
Councillor Claire Dowling

MONDAY, 11 DECEMBER 2023 AT 10.00 AM

COMMITTEE ROOM, COUNTY HALL, LEWES

AGENDA

1. Decisions made by the Lead Cabinet Member on 20 November 2023 (*Pages 3 - 6*)
2. Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
3. Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
4. Alternative Weed Maintenance Trials 2023 (*Pages 7 - 102*)
Report by the Director of Communities, Economy and Transport
5. Rural Verges as Wildlife Corridors - Trial of Early Season Reduction in Rural Grass Cutting (*Pages 103 - 144*)
Report by the Director of Communities, Economy and Transport
6. Community Match Schemes for 2024/25 (*Pages 145 - 148*)
Report by the Director of Communities, Economy and Transport
7. Changes to the Chargeable Waste Service at East Sussex County Council Household Waste Recycling Sites (*Pages 149 - 156*)
Report by the Director of Communities, Economy and Transport
8. Any urgent items previously notified under agenda item 3

PHILIP BAKER
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1 December 2023

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LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS made by the Lead Member for Transport and Environment, Councillor Claire Dowling, on 20 November 2023 at Committee Room, County Hall, Lewes

Councillor Pat Rodohan spoke on item 4 (see minute 40)

Councillor Stephen Shing spoke on items 5 and 6 (see minutes 41 and 42)

Councillors Godfrey Daniel and Peter Pragnell spoke on item 7 (see minute 43)

36. DECISIONS MADE BY THE LEAD CABINET MEMBER ON 25 SEPTEMBER 2023

36.1 The Lead Member approved as a correct record the minutes of the meeting held on 25 September 2023.

37. DISCLOSURE OF INTERESTS

37.1 Councillor Stephen Shing declared a personal interest in item 6 as someone who is personally acquainted with the applicants Messrs Peter and Robert Vine and as a serving councillor and school governor at the same time as the applicants. He did not consider this to be prejudicial.

37.2 Councillor Peter Pragnell declared a personal interest in item 7 as a Member of Hastings Borough Council. He did not consider this to be prejudicial.

38. URGENT ITEMS

38.1 There were none.

39. REPORTS

39.1 Reports referred to the in the minutes below are contained in the minute book.

40. PETITION FOR A SAFE CROSSING TO HARTFIELD SQUARE ON THE AVENUE IN EASTBOURNE

40.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

40.2 Mr David Davies, the Lead Petitioner for the petition calling on the County Council to consider a safe crossing to Hartfield Square on the Avenue, Eastbourne spoke to highlight the number of vulnerable people who use the current traffic island to cross the Avenue to Hartfield Square and safety concerns relating to pedestrians using the current traffic island including the size of the island, visibility when dark and speed of traffic at this location.

DECISIONS

40.3 The Lead Member RESOLVED to advise the petitioners that a potential scheme to implement pedestrian crossing facilities to Hartfield Square on The Avenue has been assessed through the approved High Level Sift process and has met the necessary criteria to be taken forward to detailed appraisal.

REASONS

40.4 A scheme to improve pedestrian crossing facilities to Hartfield Square on The Avenue has met the necessary benchmark score to be considered for detailed appraisal and for possible inclusion within the Capital Programme.

41. TRAFFIC MANAGEMENT IMPROVEMENTS - ALFRISTON VILLAGE

41.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

41.2 The Lead Member RESOLVED to:

(1) Note the comments of the public consultation; and

(2) Approve the proposal for the traffic management improvements as set out in the report to be taken forward to detailed design and construction as part of the Capital Programme for Local Transport Improvements.

REASONS

41.3 The proposed package of traffic management improvements for Alfriston village are designed to provide greater comfort and safety for those walking and cycling in the village, and to encourage drivers and riders to respect the historic environment through which they are travelling.

41.4 The proposed build-outs at either end of the village will serve as speed-reducing features and support the proposed 20mph speed limit; address congestion by giving priority to vehicles exiting the village; as well as provide a gateway on the entry points into the village.

41.5 The proposed improvements to HGV route signing will help address inappropriate use of the C39 by lorries.

41.6 Following the stakeholder consultation in autumn 2022 and public consultation in early 2023, there is a significant level of support locally for the proposed traffic management measures in Alfriston village, with only limited concerns highlighted around congestion and journey times which are outweighed by the benefits that the scheme will provide.

42. APPLICATION TO DE-REGISTER AND REPLACE COMMON LAND 57 AND COMMON LAND 96, KNOWN AND FOULRIDE GREEN COMMON, LOWER WILLINGDON, EASTBOURNE

42.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

42.2 The Lead Member RESOLVED to:

(1) Agree to East Sussex County Council becoming a joint applicant in the application already submitted by Messrs Peter and Robert Vine to the Secretary of State under Section 16 of the Commons Registration Act 2006 for the de-registration and replacement of a section of Common Land 57 (CL57) and Common Land 96 (CL96), known as Foulride Green, Lower Willingdon Eastbourne, to provide access to and egress from a proposed mixed-use development of land from the A2270 Eastbourne Road at Mornings Mill Farm (granted outline planning approval under WD/2021/0174/MEA); and

(2) Delegate authority to the Director of Communities, Economy and Transport to take all necessary steps in connection with the application, including but not limited to, signing the application form, providing evidence in support of the application and any further requirements of the Secretary of State.

REASONS

42.3 Planning permission was granted for the proposed development in September 2022. The release of the sections of CL57 and CL96 is necessary to provide access to and egress from a proposed mixed-use development of land from the A2270 Eastbourne Road at Mornings Mill Farm.

42.4 The de-registered sections of Common Land will be replaced with a larger area of Common Land with greater amenity value.

42.5 Due to the existence of a Public Footpath East Sussex County Council is required by the Planning Inspectorate to be a 'joint-applicant.' However, the public footpath rights are unaffected by the proposal.

43. HASTINGS TOWNS FUND - GRANT FUNDING AGREEMENT WITH HASTINGS BOROUGH COUNCIL

43.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

43.2 The Lead Member RESOLVED to:

(1) Approve East Sussex County Council, as the scheme delivery partner, entering into a grant funding agreement with Hastings Borough Council in relation to the £9,754,458 of Town Fund allocated for the delivery of the Hastings Town Centre Public Realm and Green Connections project: and

(2) Delegate authority to the Director of Communities, Economy and Transport, in consultation with the Chief Finance Officer and Assistant Chief Executive, to negotiate and agree the terms of the grant funding agreement between Hastings Borough Council and East Sussex County Council.

REASONS

43.3 In 2019 Hastings Borough Council successfully secured £24.4m from the Government's Towns Fund programme towards driving the economic regeneration of Hastings to deliver long term economic and productivity growth, through investment in urban regeneration, infrastructure, and connectivity.

43.4 The Hastings Town Centre Public Realm and Green Connections project builds on the character of Hastings and will deliver a high-quality public realm improvement that will support revival of its centre whilst also bringing nature into the town and promoting active travel.

43.5 The County Council, acting as the scheme delivery body, will enter into a grant funding agreement with Hastings Borough Council to defray the funding allocation to the County Council, progress the consultation, detailed design and construction by the end of the Towns Fund period on 31 March 2026.

43.6 A grant funding agreement will also reiterate precisely what the body is being asked to do and provide reasons for proposed course of action.

Report to: Lead Member for Transport and Environment

Date of meeting: 11 December 2023

By: Director of Communities, Economy and Transport

Title: Alternative Weed Maintenance Trials 2023

Purpose: To report on the outcomes of highway weed control trials and recommendations for future weed control

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) conclude the alternative weed maintenance trials, noting the feedback, outcomes and challenges; and
 - (2) agree to continue the use of Glyphosate as weed maintenance on the public highway until a suitable alternative or additional funding becomes available; and
 - (3) agree to provide the option for residents to opt into a volunteer maintenance scheme or District, Borough, Parish or Town Councils to take on weed maintenance through a local agreement.
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1 Background Information

1.1 On 20 September 2021, Councillor Maples and Councillor Hilton presented a Notice of Motion to the Chairman calling for the Council to cease use of Glyphosate herbicide in East Sussex County Council's (ESCC) weed control.

1.2 At a decision-making meeting on 22 November 2021, the Lead Member for Transport and Environment resolved to recommend that Full Council reject the motion as it is not possible to completely eliminate the use of pesticides but noted that three trials for alternative weed maintenance techniques in 2022 were planned. The three trials agreed were a Volunteer Streets weed control trial; a reactive weed removal trial; and a foam stream weed control trial.

1.3 At a decision-making meeting on [19 December 2022](#), the Lead Member for Transport and Environment agreed to extend the Volunteer Streets and reactive trials for 2023.

2 Supporting Information

2.1 In line with the County Council Highway Verges and Vegetation Policy, a single treatment of a Glyphosate based herbicide from the Health and Safety Executive's Pesticides Register of UK Authorised Products suitable for use on highways is used.

2.2 The total cost of weed control for a single treatment is approximately £55,000 per year and this is provided by the Council's highway maintenance contractor.

Current Weed Maintenance Application and Usage

2.3 Weed growth in channels (the part of the road in front of the kerb) can slow down or clog up and prevent the highway drainage system from working properly. Weeds also damage paved surfaces, displace kerbstones and crack walls making maintenance difficult and costly. Weeds can also have safety implications for pedestrians by causing trip hazards, as well as generally looking untidy.

2.4 ESCC carry out one weed spray per year on 1,914 miles of channels, footpaths, central reservations and islands to manage and control vegetation growth on the highway network, using a herbicide that contains Glyphosate. Spraying is carefully controlled and only applied where weeds are found, and not undertaken on windy or rainy days.

2.5 The herbicide is applied to weeds in a concentration of 95% water to 5% herbicide, with a small amount of vegetable oil added for adhesion and spray control.

2.6 The sprayed herbicide mixture enters the plant through its leaves and breaks down the weed's cell structure to kill the weed over a few days following application. The application by spray

ensures that all parts of the plant are broken down, including the roots, and therefore slows down any regrowth.

Alternative Weed Maintenance Techniques Trial Continued for 2023

2.7 Three alternative methods of weed control were trialled; volunteer; reactive; and collaborative road sweeping and strimming in a select location with Wealden District Council.

2.8 The Volunteer Streets and reactive trials were open to all residents of East Sussex to apply for their streets to be included, with the support of their local Member. Applications were then reviewed to ensure they were safe locations to be part of the trial. Only residents from Lewes, Hastings and St Leonards applied and took part.

2.9 The Equality Impact Assessment for these trials can be found at Appendix 1.

Volunteer Streets Trial

2.10 Full details of the trial can be found at Appendix 2.

2.11 The volunteer trial gave residents of a particular street the option to 'opt-out' of the Council's weed spraying programme and to undertake manual weed control themselves. To be eligible, agreement from a minimum of 60% of the residents of the street was required and the resident volunteers would commit to undertake weed removal. An agreement and guidance were drawn up in consultation with ESCC Insurance team so that volunteers could be insured by the Council. Following a safety training session and local risk assessment the volunteers were issued with personal protective equipment and notification documents to be completed when undertaking clearance works.

2.12 There is an amount of documentation and administration required for volunteers to be covered by ESCC insurance, and despite this being as streamlined as possible the feedback from volunteers was still that this was too onerous, and in some instances, there were issues of documentation not being completed.

2.13 Whilst residents considered the trial largely successful the results varied between roads, with some roads completely clear and others where large amounts of weeds remained.

2.14 Restrictions of volunteers unable to work in the road meant some channels remained full of weeds.

2.15 It should also be noted that this approach relies on the time and enthusiasm of volunteers and requires ESCC Officer time to administer and monitor progress.

Reactive Trial

2.16 Full details of the trial can be found at Appendix 3.

2.17 The reactive maintenance trial worked on the same principle as other highway reactive services, such as pothole repairs, whereby contractors attended when safety defects were identified by the Highway Stewards either through routine safety inspections or as a result of public reports. Where weeds were identified they were removed either by hand-pulling or strimming, depending on the location and type of weeds present.

2.18 The full impact would take several years to understand, however from the 2-year trial it can be seen in this limited time how weeds can affect highway infrastructure without weed maintenance. This was especially highlighted in paved areas.

2.19 Two roads which were part of the reactive trial for 2022 and were not sprayed this year, did receive several complaints of overgrown weeds and safety issues which had to be rectified.

2.20 Given the ad hoc nature of this approach it was felt that moving to a reactive approach would most likely lead to an earlier deterioration in highway condition if regular maintenance was not undertaken and posed significant safety concerns.

Road Strimming and Sweeping Trial

2.21 Full details of the trial can be found at Appendix 4.

2.22 The Road Strimming and Sweeping trial was undertaken in conjunction with Wealden District Council's street sweeping team.

2.23 This method was found effective when sites were accessible. However, for half the sites attempted, maintenance could not be carried out due to parked cars, therefore the method would

be difficult to apply across large parts of the county and would not be effective and efficient for the additional cost incurred.

2.24 The method also only removes the visible part of the weed plant and does not remove the roots, encouraging rapid regrowth.

3 Summary of Trial Findings

3.1 The benefits and issues found from each trial are noted below.

Volunteer Approach

3.2 The benefits noted included bringing communities together, no Glyphosate use, and volunteers planning their own weed maintenance taking pride in their community.

3.3 Several issues were encountered particularly with the insurance requirements which required a large amount of documentation and administration by ESCC Officers and relies on volunteers completing and returning documentation; restrictions on where volunteers can weed leading to missed areas; and variation of uptake by volunteers and therefore quality of works between groups.

Reactive Approach

3.4 The benefits noted include not using Glyphosate.

3.5 Several concerns were noted including a potential cost increase associated with call-outs to address safety defects, deterioration of assets over time, and negative public perception.

Road Sweeping and Strimming

3.6 The benefits noted include not using Glyphosate and leaving a cleaner finish, although the approach would need to be repeated several times in line with weed regrowth.

3.7 Several issues were encountered including accessing areas with parked cars, risks of using strimmer's in densely parked areas, additional labour costs, coordination of operational staff and availability and coordination of resources from different authorities.

Additional Research

3.8 Research has been collated from many Councils who have trialled different approaches, including Acetic Acid, Foam Stream, Volunteers and Weed Rippers. See Appendix 5 for full research details.

3.9 Research has found that County Councils in England are all in a similar position to ESCC and are continuing to use Glyphosate to maintain weeds having failed to find a suitable alternative.

3.10 Of the sample of 15 County Councils who advise what weed maintenance they undertake on their website, 8 undertake more weed sprays than ESCC, and 7 carry out at least 1 weed spray.

4 Proposed Options Going Forward

4.1 The following options have been proposed.

- 1) To continue to use a Glyphosate based herbicide to efficiently control weeds and continue to research and explore alternative options as they enter the market.
- 2) To offer all District, Borough, Parish and Town Councils the option to take on weed maintenance in their area, similarly to Eastbourne Borough Council, via a local agreement which allows them to explore and deploy alternatives on a local scale network.
- 3) To offer the volunteer option for residents who have a dedicated lead to coordinate weed maintenance, with the option of working under ESCC insurance cover or complying with the standard highways volunteering process, which requires their own insurance cover but allows more flexibility. See Appendix 6 for details and requirements of each insurance option.

5 Conclusion and Reasons for Recommendations

5.1 The Council notes the concerns of Councillors and residents relating to the continued use of Glyphosate and are committed to finding an alternative means of controlling weed growth, however the Authority must also meet its statutory duty to maintain a safe and useable highway network. At the present time, there is no alternative solution that can be effectively used to treat weeds over a highway network of over 1,900 miles of road channels and footways.

5.2 Therefore, it is recommended that the trials are concluded at this stage and that the Council continues to use a Glyphosate based herbicide to control weeds across the highway network, until a suitable alternative or additional funding becomes available.

5.3 The Council will also continue to offer the option of volunteer weed maintenance to appropriately resourced groups of residents and will offer District, Borough, Parish and Town Councils the option to take on weed maintenance through a local agreement.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Dale Poore

Tel. No. 01273 481916

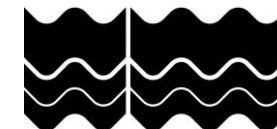
Email: dale.poore@eastsussex.gov.uk

LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

Highway Verges and Vegetation Policy



Equality Impact Analysis Template

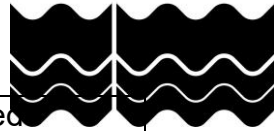
Equality Impact Analysis (EqIA) (or Equality Impact Assessment) aims to make services and public policy better for all service-users and staff and supports value for money by getting council services right first time.

We use EqIAs to enable us to consider all relevant information from an Equality requirements perspective when procuring or restructuring a service or introducing a new policy or strategy. This analysis of impacts is then reflected in the relevant action plan to get the best outcomes for the Council, its staff and service-users¹.

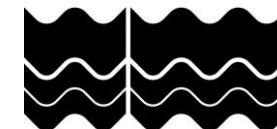
EqIAs are used to analyse and assess how the Council's work might impact differently on different groups of people². EqIAs help the Council to make good decisions for its service-users, staff and residents and provide evidence that those decision conform with the Council's obligations under the Equality Act 2010³.

This template sets out the steps you need to take to complete an EqIA for your project. Guidance for sections is in the end-notes. If you have any questions about your EqIA and/or how to complete this form, please use the contact details at the end of this form.

Title of Project/Service/Policy⁴	Alternative Weed Maintenance Trial
Team/Department⁵	Highways
Directorate	Communities Economies and Transport
Provide a comprehensive description of your Project (Service/Policy, etc.) including its Purpose and Scope⁶	<p>In recent years glyphosate-based herbicides have come under scrutiny and while Glyphosate is a legal weeding practice in the UK, East Sussex County Council have decided to undertake a trial in 2023 to look at alternative weed control techniques.</p> <p>Currently ESCC undertake one weed spray per year, of which the weeds are left on site to break down.</p> <p>The trials are being undertaken as a volunteer and reactive approach on select roads in Lewes, St Leonards and Hastings where considerable interest has been received.</p>



	<p>The Volunteer approach gives the agreed volunteer streets the option to 'opt out' of weed spraying. This is carried out with the expectation that a minimum of 60% of the residents on that street agree and that volunteers on the street would in place undertake the weed maintenance.</p> <p>The reactive approach will work on the same principle as other highways reactive services, such as potholes, whereby ESCC would only attend to weed control when areas are identified by a highway steward inspection or by customer report. Weeds would be removed when posing a health and safety risk or potential damage to the infrastructure.</p> <p>The method of control would vary depending on location but would not include use of Glyphosate.</p> <p>Feedback from the trials has been generally positive in areas where volunteers are keen to remove the use of glyphosate. However, there has been significant concern raised around the issue of weeds causing trip hazards in the pavement, specifically age related in terms of the elderly and those using prams, where weeds are large and/or restricting pavement width when overgrown. This has mainly been highlighted in areas with slabbed footways.</p> <p>In instances where weeds have been causing an accessibility issue, action has been taken to either contact the volunteer group or instructing removal.</p> <p>The results will be presented and considered in December 2023.</p>
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Initial assessment of whether your project requires an EqlA

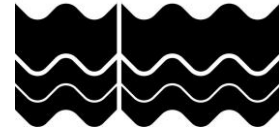
When answering these questions, please keep in mind all legally protected equality characteristics (sex/gender, gender reassignment, religion or belief, age, disability, ethnicity/race, sexual orientation, marriage/civil partnership, pregnancy and maternity) of the people actually or potentially receiving and benefiting from the services or the policy.

In particular consider whether there are any potential equality related barriers that people may experience when getting to know about, accessing or receiving the service or the policy to be introduced or changed.

Discuss the results of your Equality assessment with the Equality Lead for your department and agree whether improvements or changes need to be made to any aspect of your Project.

	Question	Yes	No	Don't Know
1	Is there evidence of different needs, experiences, issues or priorities on the basis of the equality characteristics (listed below) in relation to the service or policy/strategy area?	X		
2	Are there any proposed changes in the service/policy that may affect how services are run and/or used or the ways the policy will impact different groups?	X		
3	Are there any proposed changes in the service/policy that may affect service-users/staff/residents directly?	X		
4	Is there potential for, or evidence that, the service/policy may adversely affect inclusiveness or harm good relations between different groups of people?		X	
5	Is there any potential for, or evidence that any part of the service/aspects of the policy could have a direct or indirect discriminatory effect on service-users /staff/residents ?		X	
6	Is there any stakeholder (Council staff, residents, trade unions, service-users, VCSE organisations) concerned about actual, potential, or perceived discrimination/unequal treatment in the service or the Policy on the basis of the equality characteristics set out above that may lead to taking legal action against the Council?		X	
7	Is there any evidence or indication of higher or lower uptake of the service by, or the impact of the policy on, people who share the equality characteristics set out above?		X	

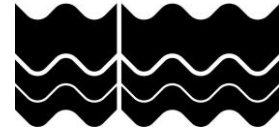
If you have answered "YES" or "DON'T KNOW" to any of the questions above, then the completion of an EqlA is necessary.



The need for an EqIA will depend on:

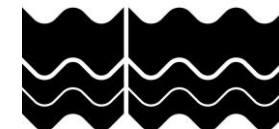
- How many questions you have answered “yes”, or “don’t know” to;
- The likelihood of the Council facing legal action in relation to the effects of service or the policy may have on groups sharing protected characteristics; and
- The likelihood of adverse publicity and reputational damage for the Council.

Low risk	Medium risk	High risk
	<p>The project has a medium risk due to the area the trial covers, its significance and the potential numbers of people affected.</p> <p>There is a risk that some of those with protected characteristics may not be able to access the highway network as safely as those without protected characteristics.</p> <p>There is also the potential that those with protected characteristics may not be able to take part in the volunteering option due to the expectation of what is required.</p> <p>Some people with protected characteristics may be adversely affected in terms of safety or ability to access the highway before we are able to rectify the issue that has arisen. (e.g. only able to remove a weed once it has been reported or steward has a planned safety inspection)</p>	



1. Update on previous EqlAs and outcomes of previous actions (if applicable)⁷

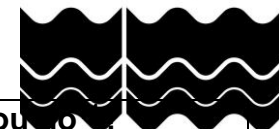
What actions did you plan last time? (List them from the previous EqlA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action Plan below)
More information on effects of the alternate weed maintenance techniques from feedback form and customer correspondence.	No direct comments were received in response to the trials in 2022 around this. The ESH website has been updated to allow open descriptions to any issues.	Review EqlA following the weed maintenance season to see if changes have had a significant impact on those with protected characteristics.



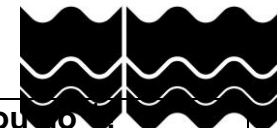
2. Review of information, equality analysis and potential actions

Consider the actual or potential impact of your project (service, or policy) against each of the equality characteristics.

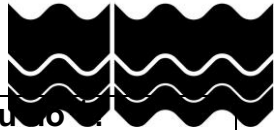
Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹¹ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹²	The highways service covers the entire county of East Sussex. East Sussex has a higher population (6.3% higher) of people aged over 65 than the average for England and Wales. But below average in age groups 0-44.	<ul style="list-style-type: none"> • Weeds creating trip hazards for elderly & children walking to school. • Can look unsightly/messy 	<ul style="list-style-type: none"> • As areas will not be sprayed as standard this may mean there are times where weeds remain in place until reported or inspected causing a potential trip hazard. • It may mean children on foot and elderly who may be more likely to be using wheelchairs/mobility scooters etc. may find it more difficult to use the footway. • Potentially if pavement is left long enough with an increased level of weeds it may mean pedestrians have to walk in the carriageway, this will have a negative impact on their safety (real and perceived) and could reduce their ability/confidence to access the highway network and consequently the surrounding area. 	<p>To minimise impact on customers with protected characteristics, we will ensure an efficient process whereby we can respond to issues in appropriate timescales.</p> <p>Throughout the trial, safety issues will remain our priority, with any reports of trip hazards being picked up and rectified through inspections and customer reports..</p> <p>East Sussex Highways can be contacted 24 hrs a day, 7 days a week via phone, email and post and is readily</p>



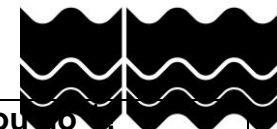
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			<ul style="list-style-type: none"> Older people with reduced mobility or in wheelchairs/mobility scooters etc. may be more affected by the narrowing of footpaths and roads due to weeds. 	accessible for people with all protected characteristics. We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.
Disability ¹³	East Sussex has a higher population of people with a disability than the average for England and Wales, with 20.3% in comparison to 17.9% with a long-term health problem or disability.	<ul style="list-style-type: none"> Narrowed footway by large weeds creating trip hazards for blind/disabled. Requests to maintain weeds to ensure path widths for accessibility. 	As per Age.	As per Age.
Gender reassignment ¹⁴	The government tentatively estimate there to be approximately 200,000-500,000 trans people in the UK.	We have received no specific comments.	We follow the County Councils equality commitments.	<p>This protected characteristic is not affected by the highways services and there will be no different treatment for this group.</p> <p>We will monitor and take into consideration any feedback</p>



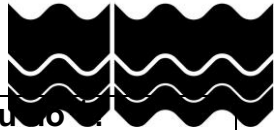
Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				received specific to the trial and use it to support future reviews and EqIA's.
Pregnancy and maternity ¹⁵	East Sussex Statistics generally follow the national average.	<ul style="list-style-type: none"> • Narrowed footway by large weeds creating trip hazards for prams. • Access for prams, condition of pavements, trips. 	<p>Those carrying children or pushing prams, buggies etc. may be affected by weeds in the footway. Which may affect the mobility of the wheels.</p> <p>As per age.</p>	As per age.
Race/ethnicity ¹⁶ Including migrants, refugees and asylum seekers	East Sussex's population is largely made up of White British and Northern Irish.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	Possible impact that someone may not be able to access or understand the trial as written on the ESH website.	<p>Refer to the ESH accessibility statement which advises on how to read website in alternative language.</p> <p>We can also be contacted directly for alternative translations.</p> <p>We will monitor and take into consideration any feedback received specific to the trial</p>



Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				and use it to support future reviews and EqIA's.
Religion or belief¹⁷	East Sussex follows the national average of more than 50% of resident of Christian belief and more than 25% of residents with no religion.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqIA's.
Sex/Gender¹⁸	East Sussex has a larger population of females than males, as per the 2011 census.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.



Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do¹¹? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Sexual orientation¹⁹	Government estimates that 5-7% of the population is Lesbian, Gay and Bisexual.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.
Marriage and civil partnership²⁰	East Sussex reflects the same as nationally.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.
Impacts on community cohesion²¹	This project covers the whole of East Sussex which includes all Parish, Town, District, Borough Councils and various local	<ul style="list-style-type: none"> • Some groups and residences have a perception that some areas have more money spent on them. 	<p>Ability/confidence to use the highway and access the community may be affected if footways are overgrown.</p> <p>Negative perception of ESH.</p>	<p>Trial areas were agreed with residents and the relevant County Councillor.</p> <p>The highways service has a good track record in engaging with parish</p>



Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	community associations, volunteer groups and communities.	<ul style="list-style-type: none"> • Or more affluent areas have more money spent on them. • Or areas are forgotten and left to look messy. • Restricted footway access due to overgrown weeds. 	Positive of communities working together on a project.	councils, as well as town councils in smaller towns, on a wide range of issue through the Strengthening Local Relations (SLR) and the Community Highways Initiatives.



Additional categories

(identified locally as potentially causing / worsening inequality)

Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
Rurality²⁶	The landscape in East Sussex is predominantly rural, however the majority of the population live in urban areas, 58% live in the coastal urban areas and a further 18% live in market towns	<ul style="list-style-type: none"> Narrowed footway by overgrown weeds creating trip hazards. Residents have a perception that rural lanes can be forgotten in terms of maintenance. Resident perception that rural areas are forgotten. 	<p>Lack of footways is more common in rural areas than urban areas. Therefore, trip hazards in footways would be reduced in rural areas.</p> <p>The rural character of the non-urban part of the county is a major attractant to many of those who live there and especially those who visit as tourists. Weeds are part of that natural aesthetic.</p> <p>The maintenance requirements in rural areas are often different to urban areas, because of the environment, how the road network is used and expectations about how the countryside should look.</p>	<p>As per age and community cohesion.</p> <p>This trial is only being undertake in urban areas and on low-speed and traffic streets such as cul-de-sacs.</p> <p>If rolled out wider consideration would be given to its effect on rural areas, but areas with footpaths on high speed roads would not be able to take part.</p> <p>We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
Carers	East Sussex has an aging population. Therefore, it could be inferred that carers will align with this aspect.	<ul style="list-style-type: none"> • Ensuring access to property. • Trip Hazards. • Reporting issues for disabled / elderly. 	As per age.	<p>As per age.</p> <p>We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.</p> <p>We would continue to follow relevant ESCC policies.</p>
Poor Literacy/Numeracy	22.6% of people in East Sussex do not hold a qualification, which is comparable to national levels (22.7%) but not as low as the South East 19.1%). However it is difficult to quantify the level of literacy and numeracy because the lack of a formal qualification does not mean a person has poor literacy or numeracy	Reports of difficulty completing forms	People with poor literacy and numeracy skills may struggle when contacting the service, particularly if they are required to complete a form or are issued with a written notice.	<p>ESH aim to communicate with service users in an accessible, easy to understand manner.</p> <p>There is always an option to phone the service and the form be completed by a customer service advisor instead.</p> <p>We will monitor and take into consideration any</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
	skills, although it does makes it more likely.			feedback received specific to the trial, and use it to support future reviews and EqlA's. As per race/ethnicity.
Other groups that may be differently affected (including but not only: homeless people, substance users, care leavers – see end note) ²⁷				
Assessment of overall impacts and any further recommendations²⁸ - include assessment of cumulative impacts (where a change in one service/policy/project may have an impact on another)				
<p>East Sussex County Council, as the Highway Authority, has a statutory duty to maintain the highway (Highways Act, 1980) which includes footways.</p> <p>Over time, local authorities including East Sussex County Council, have developed standards in line with national codes of practice and local policy requirements to ensure safety, serviceability and sustainability needs are met. The safety of highway users and the effect of weeds on highway drainage and footways are the main reasons for controlling weeds.</p> <p>There is a statutory duty on service providers under the Equality Act 2010 to take reasonable steps to remove or alter physical features to improve access for people with disabilities or provide an alternative method of making services available.</p>				

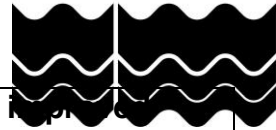


Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
	<p>All local authorities have a duty towards biodiversity under the Natural Environment and Rural Communities Act 2006. Recent guidance also recommends that vegetation on the highway network should be managed with regard to their value for nature conservation and biodiversity to encourage more wildlife e.g. in meadow verges. With the effect of Glyphosate on nature in question, the local authority needs to consider alternative options to weed maintenance. Unfortunately at this stage there are no alternatives which are as efficient and cost effective as glyphosate.</p> <p>We cannot fully understand the impact of this change until the trial is complete. Therefore, it was decided to undertake a trial rather than go to a fully policy change immediately. This allows feedback from those with protected characteristics to be evaluated within the overall review of the trial and consideration given to any issues raised.</p> <p>Whilst the trial is ongoing any safety issues will be picked up through the standard channels of inspections and customer reports and rectified either through the volunteer groups or our staff.</p> <p>Note: in standard weed maintenance weeds are sprayed once a year. If weeds are reported to be causing a trip hazard a steward makes an assessment. If they agree that it is a hazard then removal or further spraying is arranged, usually within 28 days (or sooner depending on the risk).</p> <p>In volunteer weed maintenance, volunteers have a responsibility to ensure their street is clear from trip hazards. If weeds are reported as a trip hazard, we would contact the lead volunteer and give them the opportunity to rectify it. Depending on their timeframe/ability to resolve the issue, the council may decide to make the decision to remove the street from the volunteer list and to undertake our own maintenance.</p> <p>In reactive weed maintenance, the council only attends to weed control when areas are identified by a highway steward inspection or by customer report. Weeds would be removed when posing a health and safety risk or potential damage to the infrastructure. This is usually completed within 28 days.</p> <p>Thus far there have been no occasions where this has been an issue in a volunteer weed maintenance street.</p>			



3. List detailed data and/or community feedback that informed your EqIA

Source and type of data (e.g. research, or direct engagement (interviews), responses to questionnaires, etc.)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Salesforce – customer phone calls, emails, web reports and letters logged on this system.	Ongoing	Possible gap if the Customer Service Advisor has not logged the information properly. Possible gap with the new contractor bringing in a new system, however ensuring data transfer is efficient.	Action: going forward remind the team of the importance of capturing information relevant to those with protected characteristics.
Public Consultations	Various	Not all those effected will respond to consultations.	Action: ensure public consultations are as easy as possible to complete and are widely published. Ensure a variety of groups are engaged with.
Customer queries and complaints received by CMG and departmental officers.	Ongoing	Possible gap if not all information has been logged properly. In relation to Highways, people tend to report complaints over compliments. Therefore, we are not informed what is working well and what we can do more of.	Action: increased engagement with stakeholders and customers.
SLR meetings	Twice Yearly	Not all Parish and Town Councils take up the offer to have an SLR meeting.	Action: remind Parish and Town Councils of the option.



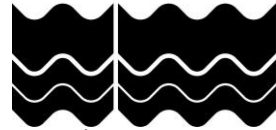
Customer Surveys e.g. smiley face / NHT.	Various	<p>Not everyone will respond.</p> <p>Unhappy residents are more likely to respond.</p>	<p>Action: increased and improved engagement with stakeholders and customers. Engagement of contractors measured within the contract.</p>
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4. Prioritised Action Plan²⁹

NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
Trip hazards, narrow & inaccessible footpaths. Age, disability, pregnancy and maternity, rural, community cohesion.	<p>More information on effects of the alternate weed maintenance techniques from feedback form and customer correspondence.</p> <p>Review EqlA following the weed maintenance season to see if changes have had a significant impact on those with protected characteristics.</p>	<p>Increase in reports of issues from those with protected characteristics.</p> <p>Over time, it will be possible to identify hotspots that routinely cause problems and a more proactive approach can be taken in these areas subject to funds being available.</p>	No negative feedback or complaints.	Duration of Trial.
(Add more rows as needed)				



EqlA sign-off: (for the EqlA to be final an email must be sent from the relevant people agreeing it, or this section must be signed)

Staff member competing Equality Impact Analysis: Fenella Lillywhite

Date: 27/10/2023

Directorate Management Team rep or Head of Service: Pippa Mabey

Date: 27/10/2023

Equality lead: Sarah Tighe-Ford

Date: 27/10/2023



Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the Council must be aware of the Council's duties under the Equality Act 2010 and ensure they comply with them appropriately in their daily work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral, rigorous part of your decision-making process and influence the process.
- **Sufficient Information:** you must assess what information you have and what is further needed to give proper consideration.
- **No delegation:** the Council is responsible for ensuring that any contracted services, which are provided on its behalf need also to comply with the same legal obligations under the Equality Act of 2010. You need, therefore, to ensure that the relevant contracts make these obligations clear to the supplier. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy or service is developed/agreed, and when it is implemented and reviewed.
- **Proper Record Keeping:** to prove that the Council has fulfilled its legal obligations under the Equality Act you must keep records of the process you follow and the impacts identified.

NB: Filling out this EqlA in itself does not meet the requirements of the Council's equality duty. All the requirements above must be fulfilled, or the EqlA (and any decision based on it) may be open to challenge. An EqlA therefore can provide evidence that the Council has taken practical steps comply with its equality duty and provide a record that to demonstrate that it has done so.

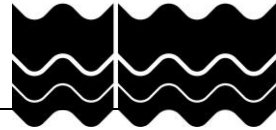
² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the actual and potential impact of our activities on people who share any of the legally 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on the nature of your project, who it might affect, those groups' vulnerability, and the seriousness of any potential impacts it might have. We use this EqlA template to gather information and assess the impact of our project in these areas.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce, minimise or eliminate any negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).



- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ **EqIAs are always proportionate** to:

- The nature of the service, or scope of the policy/strategy
- The resources involved
- The number of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed service or policy on a protected group (e.g. disabled people), the more thorough and demanding our process must be so that we comply with the Equality Act of 2010.

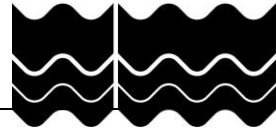
⁴ **Title of EqIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁵ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁶ **Focus of EqIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Analysis (EqIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the service, policy, strategy, practice, or function?
- Who implements, carries out or delivers the service, policy, strategy, practice, or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?



- Who is affected by the service, policy, strategy, practice, or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes, or improvements, are required and what should the benefits be?
- What do existing or previous reviews of the service, policy, strategy, practice, or function indicate to you?
- What is the reason for the proposal, or change (financial, service scope, legal requirements, etc)? The Equality Act requires us to make these clear.

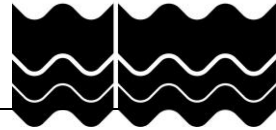
⁷ **Previous actions:** If there is no previous EqIA, or this assessment is for a new service, then simply write 'not applicable'.

⁸ **Data:** Make sure you have enough information to inform your EqIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁸
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups / communities?

⁹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act.

- What do people tell you about the services, the policy or the strategy?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.



¹⁰ Your EqlA must get to grips fully and properly with actual and potential impacts.

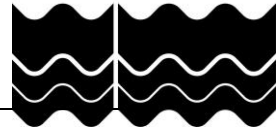
- The Council's obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that you take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so, the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹¹ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

¹² **Age:** People of all ages

¹³ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis. Carers of disabled people are protected within the Act by association.



¹⁴ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

¹⁵ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁶ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁷ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁸ **Sex/Gender:** Both men and women are covered under the Act.

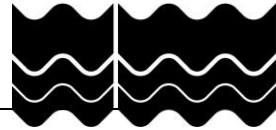
¹⁹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²⁰ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²¹ **Community Cohesion:** potential impacts on how well people from different communities get on together. The council has a legal duty to foster good relations between groups of people who share different protected characteristics. Some actions or policies may have impacts – or perceived impacts – on how groups see one another or in terms of how the council's resources are seen to be allocated. There may also be opportunities to positively impact on good relations between groups.

²² **Data:** Make sure you have enough information to inform your EqlA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?²²
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?



- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?

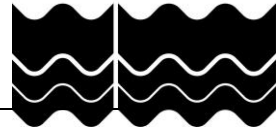
²³ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act .

- What do people tell you about the services, the policy or the strategy?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.

²⁴ Your EqIA must get to grips fully and properly with actual and potential impacts.

- The Council's obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

²⁵ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.



- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

²⁶ **Rurality:** deprivation is experienced differently between people living in rural and urban areas. In rural areas issues can include isolation, access to services (eg: GPs, pharmacies, libraries, schools), low income / part-time work, infrequent public transport, high transport costs, lack of affordable housing and higher fuel costs. Deprivation can also be more dispersed and less visible.

²⁷ **Other groups that may be differently affected:** this may vary by services, but examples include: homeless people, substance misusers, people experiencing domestic/sexual violence, looked after children or care leavers, current or former armed forces personnel (or their families), people on the Autistic spectrum etc.

²⁸ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁹ **Action Planning:** The Council's obligation under the Equality Act of 2010 is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Post Project Review

Project Title	Volunteer Weed Maintenance
Author	Fenella Lillywhite
Date	16/10/2023
Version	0.1

Purpose of This Document

To collate and review the information and feedback from the trial of the volunteer weed maintenance undertaken through the weed maintenance season of 2023.

To understand the successes and issues faced by volunteers undertaking weed maintenance on select roads.

To present the outcome and conclusions made from this trial.

Trial Overview

The volunteer weed maintenance gave streets the option to 'opt out' of glyphosate weed spraying. This was done with the expectation that a minimum of 60% of residents of that street agree to be part of the trial and that volunteers would in place undertake some form of weed maintenance.

As a requirement to come under East Sussex County Council insurance an agreement and guidance were included outlining safety and expectations. Training and PPE were provided as well as notification documents to be completed by the volunteers to let ESCC know when they are going to carry out the works and when they have been completed.

This was only an option on cul-de-sacs or residential roads with low-speed limits. See **Appendix A** for list of roads who completed all documentation to become a volunteer street or opted to continue from 2022.

Benefits Noted

- Brings communities together and creates more community cohesion.
- No Glyphosate used.
- Appeases residents against use of glyphosate.
- Gives residents opportunity to influence what happens to their road.
- Volunteers self-scheduling, rather than relying on ESCC to schedule.

Issues Noted

- Insurance requirements /volunteer resistance to completing the documentation.
- Variation in completing notification documentation, some roads completed no documentation all year and others submitted documents which had only been partially completed.
- Variation of quality of works (See **Appendix B** for supervisor feedback **and C** for images).
- Large amounts of admin and supervision by ESCC officers and associated costs.

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- Restrictions on where volunteers can weed e.g. not in road / has to have a pavement, meaning some areas left un-weeded.
- Public perception of volunteers weeding e.g. Highways are not undertaking works they are responsible for.
- Weeds may not have been fully removed e.g. roots may still be intact meaning they come back worse or weeds are allowed to seed and spread.
- Disposal of weeds and soil costly for both ESCC and/or volunteers.

Insurance

This trial continuing on from 2022 was the first time ESCC Highways had insured volunteers under ESCC insurance.

The standard highways volunteering process requests volunteer groups and/or Parish and Town Councils to obtain their own £10million Public Liability Insurance instead, this means there is less documentation and no notification needed to ESCC as to when works will be undertaken.

Documentation

Therefore, to undertake this trial and insure volunteers under ESCC insurance, volunteers had to meet the requirements of East Sussex County Council insurance provider, including documentation for certain aspects of the process.

An agreement had to be signed by all volunteers which outlined expectations, what can and cannot be done and provided a standard risk assessment. Training was carried out via a PowerPoint presentation, narrated by an ESCC Officer.

Initially the ESCC insurance provider requested an ESCC officer to be onsite at all times whilst the volunteers undertook work. However, there was not enough officer resource to meet this expectation and it was agreed that completing a notification and completion document would meet that requirement, however ESCC officers would need to undertake ad-hoc inspections.

For 2023 the documentation was reviewed and although the same information was still requested, it was edited to be simpler.

The documentation has received criticism throughout the trial and there has been a reluctance to complete it.

It was found this year that some roads never completed any notification documentation, therefore suggesting either no weed maintenance has been undertaken on that road or it has been undertaken without insurance requirements. Others submitted documentation which was only partially completed, late or provided non-specific dates.

A small proportion of the volunteer streets provided all documentation on time and correctly.

See **Appendix D** for template documents volunteers must complete.

Weeding Restrictions

Although the roads were low-speed, low-traffic roads, volunteers were not allowed to work within the carriageway or anywhere there was not a footpath. This has therefore created an imbalance of weeds in some places such as the channels.

Officer Time

Resource for the trial was utilised from the ESCC Highways Contracts Management Group.

It was found that the initial set up of reviewing applications, responding, and sending the relevant documentation at the beginning of the year was the most time consuming. Followed by correspondence with volunteers over documentation and surveying of the streets by supervisors.

The trial included 12 roads, if more roads were to take up this approach it could quite quickly become resource intensive.

Feedback from Volunteers

Generally, the feedback received from volunteers has been positive, specifically around bringing communities together and not having glyphosate used on their road.

A supervisor spoke to a resident who advised that residents should be weeding outside their own property but some are some not. Another resident in a different street asked if a section could be strimmed due to it being two foot high.

It has been found that if a road has a strong lead volunteer to coordinate works or County Councillor involvement, they are more likely to have been successful with the trial.

The following are the main issues which have been raised:

Issues	ESCC Response
Complicated documented process	The process is in place to meet ESCC insurance requirements. Alternatively, the standard Highways Volunteering process is available, whereby volunteers provide alternative insurance cover, and as such requires less documentation.
Issues disposing of weeds.	Requests for bags to dispose of weeds, where residents did not have a green wastebin. Some groups were provided with green waste bins paid for by ESCC. Going forward if this was required on a large scale, a discussion could be held with relevant District and Brough Councils to see how this can be managed or contributed to.

Customer Cases

Year	Number of cases to do with weeds in trial areas.
2023	7
2022	9
2021	4
2020	6
2019	8

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There has been no noted increase in customer cases due to the trial.

General Feedback

Although standard case numbers have remained similar to pre-trial levels, the public have voiced their opposition through other routes, such as directly to Members, on Highways Facebook posts, the complaint process and submission of Information Requests.

The general consensus is that roads with high resident interest and a strong lead volunteer have successfully organised themselves. Concern has been raised around the reduction in interest from other roads, manifested in the lack of maintenance on those streets.

It should be noted that there is a mix of public opinion in terms of how weeds should be maintained, and concerns are more frequently being raised for reasons such as accessibility, safety and aesthetics rather than the technique used.

Contract and Commercial Supervisor Visits

The Contract and Commercial Supervisors responsible for inspecting the trial locations have noted that generally the locations which have been undertaking the trial for 2 years have larger weeds. However, they have also found deterioration in some of the other trial locations.

Areas with paved footways are more prevalent to weeds, making it harder to maintain. Although some groups have managed to keep areas clear or at least ensure that the pavement has adequate width.

Where volunteers are not able to weed in the road the channels can be seen to have increased weed growth in comparison to the footway.

One of the main issues highlighted is large weeds abutting private property and the highway decreasing the width of the pavement.

See **Appendix B** for supervisor feedback and **C** for images.

Other Costs

PPE

For 2023 30 sets of PPE were purchased over the course of the trial for volunteers. The sets included gloves, goggles and hi-vis jackets. The total cost was £150.56.

The total amount of PPE sets across both years purchased was 91 at a total cost of £406.

Only one group returned PPE from the previous year.

Green Waste Bins

After consultation with Lewes District Council, ESCC paid for 3 volunteer roads to receive green waste bins for a year at a cost of £35 each, totalling £105.

Outcome & Conclusion

There has been mixed results in terms of the quality of maintenance on volunteer roads as shown in the photos and feedback from the supervisors.

Appendix 2

The insurance paperwork for volunteer groups remains the main issue with volunteer weed maintenance. With some roads not completing any paperwork for the year and others not completing the documentation fully. The information requested cannot be reduced due to the requirement from the Insurance Providers for ESCC insurance.

It is therefore suggested that should the volunteering option go forward the ESCC Insured Volunteering and the Standard Highways Volunteering are run alongside each other. See **Appendix E** for details.

This would be with a very clear understanding that to come under ESCC insurance the documentation must be completed. If it is found that what is being provided does not satisfy the requirements of ESCC then as a last resort the road would be returned to the standard weed maintenance schedule.

Or alternatively the group can look to come under an external insurance through the standard highways volunteering process whereby an agreement and insurance must be provided by volunteers, but no further documentation is needed. This would also allow a group to work across multiple streets. ESCC would just need to be informed of what streets to remove from the weed maintenance programme.

Safety remains the top priority for ESCC and any reports of accessibility or safety issues from volunteer streets would necessitate ESCC taking back the maintenance.

Appendix A – Volunteer Road Locations

- Leicester Road – Lewes

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- Lower South Road – Hastings
- New Road – Lewes
- South Street – Lewes
- South Way – Lewes
- St Thomas – Hastings
- Tackleway – Hastings
- Talbot Terrace – Lewes (with Pelham Terrace, Toronto Terrace)
- Alma Terrace Hastings
- Oban Road Hastings
- Clinton Crescent Hastings
- Markwick Terrace Hastings

Appendix B – Supervisor Visit Feedback

Road	When	ESCC Supervisor Review 24/08/2023
Lower South Road – Hastings	Volunteer 2022 & 2023	Green/Amber Condition 3 small areas have been cleared rest of street have small weeds.
St Thomas – Hastings	Volunteer 2022 & 2023	Amber Condition. Few small areas have been cleared but over all very untidy and a lot of weeds.
Tackleway – Hastings	Volunteer 2022 & 2023	Green/Amber Condition. Small area has been untouched small weeds in rest of street
Barnfield Close Hastings	Volunteer 2023	Green Condition No weeds Found.
Alma Terrace Hastings	Volunteer 2023	Green Condition Little to no weeds found.
Oban Road Hastings	Volunteer 2023	Green/Amber Condition Large areas clear of weeds, however few areas where weeds have been untouched
Clinton Crescent Hastings	Volunteer 2023	Amber condition Large areas where no weeds have been found but some areas remain with large amount still present.
Markwick Terrace Hastings	Volunteer 2023	Green Condition Very little weeds found.
Leicester Road Lewes	Volunteer 2022 & 2023	Amber Condition Varying levels of weeds outside properties and along walled edges growing into footway.
New Road Lewes	Volunteer 2022 & 2023	Amber Condition Weeds along edge of footway majority of the street.
South Street Lewes	Volunteer 2022 & 2023	Amber Condition Varying levels of small weeds outside

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		properties and along walled gardens.
South Way Lewes	Volunteer 2022 & 2023	Green Condition Excellent maintained - no weeds found
Talbot Terrace (with Pelham Terrace & Toronto Terrace) Lewes	Volunteer 2022 & 2023	Red Condition Large amounts of weed around these 3 streets. Impacting space on footway. Especially along side of walled area of Toronto Terrace.

Appendix 2

Appendix C – Images from Supervisor Visit

Lower South Road Hastings



Appendix 2

St Thomas Hastings



Appendix 2

St Thomas Hastings



Tackleway Hastings



Appendix 2

Barnfield Close Hastings



Alma Terrace Hastings



Oban Road Hastings



Clinton Crescent Hastings



Markwick Terrace Hastings













Volunteer Streets Weed Maintenance Agreement

1

1

The Volunteer Streets project will be reviewed at the end of 2023 and a decision will be made as to whether it continues. This decision, once made, will be fed back to the group.

VOLUNTEER REGISTRATION FORM	
First Name	Sex
Surname	E.O.B.
Address	
Postcode	
Phone number	
E-mail	
Typical: Please provide details of who to contact in an emergency	
Name	
Address	
Telephone no	
By signing this form, the Lead Volunteer is confirming that they are familiar with the Club's policies, they agree to support Volunteers carrying out volunteer work in the Club and they agree to play a role in ensuring that the volunteers to whom they agree support others are carried out in accordance with the standards and conditions set out in the Club's policies.	
Agreement and Guidance Undertaken by Volunteer	
Signed	

Training and PPE

Within the document bundle you will see a presentation named "volunteer weed maintenance training". The presentation has sound and will roll through by itself.

This must be watched by all volunteers and ESCC notified by the LV that it has been watched.

Once the training has been completed ESCC will arrange collection or delivery of the PPE.



Declaration of Work

To meet the requirements set out by our Insurance Provider and allow volunteers to be insured this form must be completed before you plan to undertake weed maintenance.

The declaration of work form can be found in your document bundle and is to be completed and submitted by the Lead Volunteer.

Declaration of Work	
This form must be completed and returned to: contracts.managementgroup@eastsussex.gov.uk	
At least 2 working days before the work commences.	
General Information	
Road Name and Parish/Town	
Total Weed Maintenance will be undertaken	
Number of Volunteers who will be involved	
Vehicle Type	Hand Maintenance
Highway Type	Footway
Location of Nearest Hospital	
Preparation for Work	
To ensure site currently working at level	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, when started and what others have left site

Onsite Work Form

To meet the requirements set out by our Insurance Provider and allow volunteers to be insured this form must be completed when on site before you start weed maintenance.

The on-site work form can be found in your document bundle and is to be completed and submitted by the Lead Volunteer.

On Site Work Form	
This form must be completed and returned to: contracts.managementgroup@eastsussex.gov.uk	
General Information	
Road Name and Parish/Town	
Lead Volunteer	
Vehicle Type	Hand Maintenance
Highway Type	Footway
Location of Nearest Hospital	
Point of Work Risk Assessment	
To ensure figures safe?	Yes <input type="checkbox"/> No <input type="checkbox"/> If no, do not start work
To ensure other working at the site?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, do not start work
Are there any other potential risks to the work?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, do not start work

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The Agreement

Nature of Work

The work which will be undertaken is the removal of weeds and plants from the footway on the agreed road. The volunteers are not permitted to work on the carriageway. The arisings from these works are to be disposed of by volunteers.

These works are only to be undertaken in the agreed area on the footway. No grass cutting of verges or hedge cutting will be undertaken.

Power tools are not to be used.

Please note that our insurers do have the right to refuse cover if they believe we are operating outside of our own agreed risk guidance and therefore it is important to follow the agreed rules/code to ensure we minimise any losses.

Any volunteers who help with the weeding do so expressly on the basis that the lead volunteer does not assume a duty of care towards their fellow volunteers and will not be held personally liable in the event that an injury or loss occurs to another volunteer. Each volunteer must take responsibility for their own personal health & safety and if in any doubt should raise queries or issues with ESCC.

Why do we maintain weeds?

Weed maintenance on the highway is necessary for the following reasons:

- Weed growth in road gullies and channels can slow down and prevent our drainage systems from working
- Weeds can damage paved surfaces, displace kerbstones and crack walls making maintenance difficult and costly.
- Weeds can create trip hazards
- Weed growth can trap litter and debris.

Volunteers

The Lead Volunteer (LV) cannot work alone and will need to be supported by other volunteers.

All volunteers will need to complete the Volunteer Registration Form and the LV will need to submit these signed to: contracts.managementgroup@eastsussex.gov.uk

Training for Volunteers

All volunteers will need to undertake Health and Safety training provided by ESCC.

This training is pre-recorded and part of the document bundle.

The LV will notify ESCC this has been completed before any works commence.

Guidance for Volunteers

- Know the locations and requirements of the task and understand the conditions under which they are to be carried out including the acceptable standard and finish.
- All volunteers must start and finish the works at the same time. And must not work alone.
- Ensure that all volunteers are well briefed and that they are aware of and follow statutory regulations and guidelines.

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- Ensure that all volunteers have read this document.
- Know how to deal with enquiries and how to report accidents or incidents to ESCC.
- Ensure you understand the risk assessment and method statement as outlined in this document.
- Volunteers are only permitted to work on pavements and footpaths.
- Volunteers are not permitted to work on the vehicular carriageway itself.
- Volunteers should not be put, or put yourself, at any further risk than a pedestrian would by using the pavement.
- The ground must not be broken under any circumstance.
- Volunteers are not permitted in any circumstances to work at height.
- Volunteers are not permitted to use power tools.
- Volunteers must not undertake any task that may exacerbate any health condition.
- Volunteers are not permitted to undertake any maintenance on grass verges or hedges.

ESCC reserves the right to require volunteer activities to stop and may withdraw permission if the tasks are not being carried out appropriately or if any of the council's conditions or restrictions are not being complied with.

Please note, if the conditions outlined in this agreement are not being followed, volunteers will not be covered by East Sussex County Council insurance.

Before

- The **Declaration of Works Form** (provided in the document bundle) must be completed at least 2 working days prior to any works being carried out. This also must be submitted each time work is to be undertaken.

During

- Before any work begins the **On-Site Work Form** (provided in the document bundle) must be completed. This must be completed each time works are carried out.
- Ensure area to be maintained is thoroughly checked for animals, nesting birds and other obstructions before commencing.
- Area should be checked for hazardous waste. Avoid clearance close to potentially hazardous waste. Notify your relevant District or Borough Council if waste is found.
- Consider what PPE is needed for example: gloves, boots, hand cleaning material, first aid kit. ESCC will provide hi-vis jackets, gloves and goggles.
- Always be aware of your surroundings.
- If at any point you feel it is unsafe to continue, you must stop.
- If there is an **incident on the Highway**, no matter how minor, volunteer tasks must **stop** and the incident must be reported as soon as possible to the Highways Contact Centre (on 0345 608 0193) who will notify the appropriate officers.

After

- Check that the area or path is clear of obstruction, in particular any cut stems that may have sprung up when cuttings have been removed.
- All waste or arising's must be removed from site and disposed of appropriately and in accordance with relevant legislation.
- Ensure all volunteers agree works are completed and leave site at the same time.
- Ensure the **Declaration of Works Form** (provided in the document bundle) is submitted to ESCC.

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Monitoring

The council regularly monitors the condition of highway assets throughout East Sussex. Contract and Commercial Supervisors (ESCC staff) or Commercial and Cost Control Officer (ESCC Staff) will carry out spot checks.

If we notice that weeds are at an unacceptable level or pose a potential safety hazard, then we'll get in touch with the LV to discuss how to remove them and offer support as appropriate. If the weeds remain after an agreed period then, as a last resort, the road will be put back on the glyphosate spraying schedule until a suitable alternative can be found.

If ESCC see or have reports that the volunteer group is not working safely, the volunteer group will not be covered by East Sussex County Council Insurance, asked to stop any works and the area will be put back on the glyphosate spraying schedule until a suitable alternative can be found.

It is imperative that all forms are submitted within the timeframe given. If the conditions outlined in this agreement are not being followed, volunteers will not be covered by East Sussex County Council insurance.

East Sussex County Council staff will then undertake checks after the works have completed.

Complaints and Customer Contact

Complaints and customer contact will be dealt with through our Highways Contact Centre.

If we receive an increased level of complaints about the weeds on the agreed road this will trigger a review as set out above in the monitoring section.

If a member of the public would like to contact us, please provide them with one of the following contacts:

Phone: 0345 608 0193

Email: customer@eastsussexhighways.com

The following email address is only for volunteer use, for example if you want to notify us of something or have a question:

Email: contracts.managementgroup@eastsussex.gov.uk

Nearest Hospital

Ensure you know the location of the nearest hospital. This can be found on the NHS website by searching your postcode: <https://www.nhs.uk/service-search/hospital>

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Appendix 2

VOLUNTEER REGISTRATION FORM			
First Name		Title	
Surname		D.O.B	
Address	Postcode:		
Phone number			
Email			
Optional: Please provide details of who to contact in an emergency			
Name			
Address			
Telephone no			

By signing this form, the Lead Volunteer is confirming that; they are familiar with the Guidance document; they agree to support Volunteers carrying out volunteer tasks in their areas; they will ensure that processes are in place with the volunteers to ensure that any agreed volunteer tasks are carried out in accordance with the restrictions and conditions set out in this Guidance document.

Agreement and Guidance Understood by Volunteer	
Signed	
Date	

Data protection and personal information collected on forms

Where we ask you for personal information through a form, this information will only be used for the purpose indicated and it will be held in a secure manner. It will not be used for any other purpose without your permission and will not be kept for longer than necessary.

By completing this form you are giving consent for us to hold your details in line with data protection legislation. Please see our privacy policy for further information:
<https://www.eastsussex.gov.uk/privacy/privacy-cek/>

Please see our Privacy Notice for Highways Volunteers:
<https://www.eastsussexhighways.com/privacy-notice-highways-volunteers>

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Declaration of work form

Declaration of Work	
This form must be completed and returned to contracts.managementgroup@eastsussex.gov.uk - At least 2 working days before the work commences.	
General Information	
Road Name and Parish/Town	
Date Weed Maintenance will be undertaken	
Number of Volunteers who will be involved	
Works Type	Weed Maintenance
Highway Type	Footway
Location of Nearest Hospital	
Preparation for Work	
Is anyone else currently working at the site?	Yes/no - If yes, works cannot start until others have left site.
Do you foresee there being any obstructions that would stop you from working?	Yes/no - If yes, please explain.
Do you have the correct PPE for the job?	Yes/no - If no, please explain.
Have re-read and understood the agreement.	Yes/no - If no, works cannot go ahead.
Signed by Lead Volunteer	
Date Form Submitted to CMG	

Appendix 2

Onsite Work Form

On Site Work Form	
This form must be completed and returned to contracts.managementgroup@eastsex.gov.uk	
General Information	
Road Name and Parish/Town	
Date	
Lead Volunteer	
Works Type	Weed Maintenance
Highway Type	Footway
Location of Nearest Hospital	

Point of Work Risk Assessment		
Is access / egress safe?	Yes/No If no, do not start works.	
In anyone else working at the site?	Yes/No If Yes, do not start works.	
Are there any obstructions stopping you from working?	Yes/No If Yes, do not start works.	
Is there evidence of protected species or invasive plants?	Yes/No If Yes, do not start works.	
Is your equipment fit for purpose?	Yes/No If no, do not start works.	
Do you have the correct PPE for the job?	Yes/No If no, do not start works.	
Main Hazards	Understood by Volunteers	Control
Slips Trips and Falls		Keep Site Tidy
Manual Handling		Use mechanical aids and good handling protocols.


Working on a Live Highway	Volunteers are not permitted to work on the Road.
Weather Conditions	Are weather conditions suitable for the task to be completed.

Lead Volunteer Checklist	
Number of Volunteers Present (incl LV)	
Volunteers are working in groups of a minimum of 2	Yes / No**
Volunteers have received a safety talk before works have begun.	Yes / No**
Volunteers have walked the area and discussed any potential hazards.	Yes/ No**
Volunteers understand information outlined in the agreement.	Yes/No**
Point of work risk assessment completed.	Yes / No**
Are works Safe to Commence?	*If works are not safe to commence please notify ESCC why. **If answered no to any of the above, do not start works.
I confirm that I understand the hazards and controls associated with the activity. Signed by LV	

Risk Assessment

Risk Assessment	
Contract:	East Sussex County Council
Operation/Activity:	Volunteer Weed Maintenance
Risk Assessment No.:	ESCC-HS-002L or H
Part A - Introductory Information	
Operation	This work involves volunteers removing weeds from East Sussex County Council footways using hand tools to overcome the necessity to administer environmentally harmful herbicides. This work is to be undertaken all year round in various locations across the County.
Briefly describe the Job, Location, Scope & Duration	
Associated Method Statements & Risk Assessments	HSI MS 002 Volunteer Weed Maintenance
Note - Specific Risk Assessment Templates are available within the SHE Management System for dealing with specific risks such as COVID, Noise, HAVS, Fire, Young Persons, Manual Handling, Legionella etc. Where relevant complete a specific risk assessment, reference above and include within the overall RA/MS documentation.	

4	Contact with needles or other sharp objects	Volunteers	Cuts or even infectious disease	4	2	8	Scan the area for potential risks and remove these in a safe manner prior to commencing work. PPE of the type recommended in the Method Statement should be worn at all times. If the volunteers do not have the equipment to safely remove any dangerous objects, raise the matter with East Sussex Highways and do not commence work until the risk has been removed.	4	1	4
5	Stepping off the pavement	Volunteers & Public	Struck by passing vehicle	4	2	8	Volunteers to work towards the carriageway edge whilst standing centrally in the footway. Work to stop and footway to be left clear for passing pedestrians.	2	1	2
6	Crossing the road	Volunteers	Struck by passing vehicle	4	2	8	The road should only be crossed at a location where traffic approaching from either direction can be clearly seen.	4	1	4
7	Manual Handling	Volunteers	Muscle sprains & Strains	3	2	6	All manual lifting to be done in accordance with the Method Statement.	3	1	3
8	Tripping over tools	Volunteers & Public	Potential for trips and falls	3	2	6	All tools to be stored in a safe place away from the work area when not in use. Foot handles to be pulled to the side of the body not directly towards the user. Spotter to ensure tool are not in use when pedestrians are passing.	3	1	3
9	Hand tool use	Volunteers & Public	Abrasions and bruising	2	2	4		2	1	2

										
Contract:		East Sussex County Council								
Operation/Activity:		Volunteer Weed Maintenance								
Risk Assessment No.:		ESCC-HS-002L or H								
Part B - Integrated Risk Assessment										
			Initial Potential for Harm				Residual Potential for Harm			
No	Hazards (potential for harm)	Who may be harmed	Initial Risk: likely result if hazard is realised	Severity (S)	Likelihood (L)	Risk Rating	Control Measures	Severity (S)	Likelihood (L)	Risk Rating
Can the hazard be removed?										
1	Extreme allergic reaction to stings or bites.	Volunteers	Anaphylactic Shock, death	5	2		Volunteers with known conditions should be assigned to monitoring tasks. Any known conditions and antihistamines (EpiPens) should be declared to the supervisor prior to starting work.	5	1	
2	Extremes of cold & hot weather	Volunteers	Hypothermia, heat stroke, dehydration, sunburn, fatigue	3	3		Appropriate clothing must be provided for the prevailing weather conditions. If temperatures fall below freezing, gale force winds or thunderstorms develop then work must stop. In extreme heat, water & sun cream must be provided. If at any time a volunteer feels unwell, work must stop until temperatures normalise.	3	1	
3	Contact with contaminated soil, hazardous waste, animal faeces and water-borne diseases	Volunteers	Lyme's Disease, Weil's Disease, Tetanus, Hepatitis B	4	2		Scan the area for potential risks and remove these in a safe manner prior to commencing work. If the volunteers do not have the equipment or knowledge to do this, raise the matter with East Sussex Highways and do not commence work until the risk has been removed.	4	1	

10	Injured by broken tools	Volunteers & Public	Possible cuts and bruises	2	2	All tools to be checked and in good condition at the start and at least once during the shift. Any damaged or broken tools should be removed from the work area, disposed of as soon as practicable and replaced as soon as possible. If no suitable tools are available, work should stop until new equipment has been sourced.	3	1
11	Insects and stinging plants	Volunteers	Bites & Stings	1	3	PPE to be worn at all times. Insect repellent is recommended for all volunteers.	1	1

Risk Assessment score listing		Severity of Impact (S)		Likelihood (L)		Severity (S)		Likelihood (L)	
Unlikelihood of Event (U)	1	2	3	4	5	6	7	8	9
1. Very Unlikely	1	2	3	4	5	6	7	8	9
2. Unlikely	2	3	4	5	6	7	8	9	10
3. Slightly	3	4	5	6	7	8	9	10	11
4. Fairly Likely	4	5	6	7	8	9	10	11	12
5. Almost Certain	5	6	7	8	9	10	11	12	13

Conclusions	
High (Red)	STOP! Hazard must be removed or all practicable steps are to be taken to reduce level of risk
Medium (Amber)	Risk to be controlled as far as is reasonable practicable
Low (Green)	Risk to be controlled as far as is reasonable practicable

Appendix 2

Method Statement

During the weed removal process, volunteers will be required to remove weeds from gaps between the footway and adjacent property and/or the footway and the curb or other edge of carriageway. Where the footway comprises slabs or other block materials joints between individual footway components may need to be cleared.

After preliminary investigations, the most effective and safe form of removal will be applied. Physical removal of the plant and disposal will be required. This should take the form of hand-held tools; long handle hoes or similar are the recommended implement.

After removal it is the volunteer's responsibility to ensure all recovered material is disposed of in suitable, safe way and in accordance with the relevant legislation.

Method.

Only work in agreed areas must be carried out.

Appropriate PPE must be worn at all times.

Sturdy footwear ideally with a reinforced sole and steel toe cap should be worn.

All work should be undertaken in pairs with one volunteer maintaining a safety observation role ensuring neither a volunteer or the public are put at unnecessary risk by the weeding activity. If a member of the public approaches the work area, work must stop and the resident allowed to pass in safety and then continue once it is safe to do so.

All tools should be checked for safety at the start of every shift and at least once, ideally more times during the day. Any tools not in a safe condition should be removed from the work area, disposed of and replaced as soon as possible. Any tools not in use must be stored away from the work area so as not to present a risk to volunteers and the public.

All arisings must be bagged at regular intervals and the bags moved to a safe location away from the work area so as not to become a trip hazard to volunteers or the public. Care should be taken when lifting any bags of waste, follow the guidance below for the safe lifting of heavy loads, never lift more weight than you can comfortably carry:

Manual Handling

Planning – Can I handle the load? Can a lifting aid be used? Do I need help? What are the hazards?






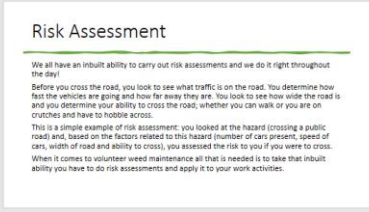
Posture – Keep your feet apart. Slightly bend your back, hips and knees. Keep shoulders level and facing forwards. Keep the load close to the body. Don't over stretch your back.

The Lift – Raise the load whilst straightening your legs. Keep the load close to your waist. Keep your head up. Move smoothly. Do not twist or turn.

Conclusion.

The work will be carried out with consideration of the general public and wildlife. With the precautions being taken, there will be minimal risk to the general public or E.S.C.C volunteers during this work.

Training Presentation

 <p>1</p>	 <p>2</p>	 <p>3</p>
 <p>4</p>	 <p>5</p>	 <p>6</p>

Hazards

A hazard is something that has the potential to harm you.

In its simplest form, identifying hazards involves asking yourself "Where can people come to harm?"

Example: When crossing the road, the car is the hazard.

Risk

The next thing you need to know about is risk. Can someone be harmed by the hazard you have identified?

"What is the chance that I will trip on my tools if I leave them lying around?"

Likelihood & Severity

Given the potential negative outcome, we often look at risk as being the combination of likelihood and severity.

In other words: "How likely is it that I will fall over my tools?" and "If I do fall over them, then what harm will I come to? Will I suffer major injuries or even be killed?"

So, you need to assess how likely it is that someone can be harmed by how you carry out your work.

And the severity. Could it cause minor cuts and bruises or serious injury?

Agreement - Appendix B

This is the risk rating from the agreement. It shows how severity and likelihood are measured.

Severity (S)	Likelihood (L)	Risk Level
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5

Control Measures Or Mitigation

You then put in place control measures which include actions that can be taken to reduce the potential of exposure to the hazard, remove the hazard or reduce the likelihood of the risk of the exposure to that hazard being realized.

Going back to the example of tripping over your tools, you may decide that the most suitable control measure is for everyone to put their tools back in one bucket once finished using.

Agreement - Appendix B

Hazard	Risk	Control Measure	Likelihood (L)	Severity (S)	Risk Level
Control of construction site	Control of site	Control of site	1	1	1
Control of site	Control of site	Control of site	2	2	2
Control of site	Control of site	Control of site	3	3	3
Control of site	Control of site	Control of site	4	4	4
Control of site	Control of site	Control of site	5	5	5

Things to think about

Working near the highway can be hazardous due to the environment. There are many things to think about, some of which we will go through today. However this is not exhaustive.

- Live traffic
- Working close to the public
- Lifting operations
- Hand Tools
- Holes & Height
- Falls and falling objects
- Working close to water
- Dangerous substances
- First Aid
- Visibility

Live traffic

You will be working near a live highway. It is important you are aware of your surroundings.

What could happen if you accidentally step off the pavement in live traffic?

Traffic overtaking to avoid something could mount the pavement causing an accident.

What is the safest place to cross the road?

What time in the day is it best to carry out weed maintenance?

Ensure you know the width of the pavement. There should be no need to walk backwards.

Don't leave anything which could fall into the road and do not stand in the road.

Agree a crossing point between all volunteers.

Perhaps after the work/school run and not in the dark.

Working close to the public

The pavement will be open to be used by the general public. Consideration must be given to this.

What could happen if you leave your tools around?

Could you force a member of the public into the road due to where you are working?

Although that weed is pretty, if you leave it there could you cause a trip hazard?

Ensure you know the width of the pavement. There should be no need to walk backwards.

Don't leave anything which could fall into the road and do not stand in the road.

Agree a crossing point between all volunteers.

Hand tools

You are only permitted to use hand tools. No powered tools.

How appropriate are the tools you are using?

Should you ever leave your tools unmonitored?

Where should tools be kept whilst working?

Old, wobbly, screws missing hand tools may not be the most appropriate.

No. Always ensure volunteers are keeping tools tidy. Never leave tools alone.

Volunteers could agree a monitored area or bucket to keep all tools together.

First Aid (Health)

It is important to know what to do next if the unthinkable happens.

Do you know where your nearest hospital is?

Do you know what number to call?

Do your volunteers know where to find a first aid kit?

Are you aware of any allergies or medical needs your volunteers may have?

It's important to know where this is and how you would get there.

999 for emergencies & 111 for non-emergencies.

Can be handy in many situations.

For example, a volunteer may have an allergic reaction to a plant.

Safety

Are there enough volunteers to ensure no one is working alone?

Has your group taken the necessary action to protect themselves?

No one should be undertaking weed maintenance by themselves.

Gloves, goggles, sun protection.

Before During After

Before

The Declaration of Work Form must be completed at least 3 working days prior to any works being carried out. And sent to us.

This also must be submitted each time work is to be undertaken.

Declaration of Work

Preparation for Work

During

On site work form

Must be completed when you are onsite ready to start work. But before you start.

This then must be sent back to us after work has concluded.

On-Site Work Form

During

After

Check that the area or path is clear of obstruction. In particular, any cut stems that may have sprung up when cuttings have been removed.

All waste or arising's must be removed from site and disposed of appropriately and in accordance with relevant legislation.

Ensure all volunteers agree works are completed and leave site at the same time.

Once works have been completed the LV must notify ESCC by emailing the On-Site Work Form to: Contractor.maintenance@eastsussex.gov.uk within 2 working days.

Appendix E – Volunteering Options

Weed Maintenance Volunteering Options

Any volunteer undertaking maintenance on the Highway needs to be covered by a minimum of £10 Million Public Liability insurance.

There are two options available:

Insurance Provided by:	East Sussex County Council	External Group (Standard Highways Volunteering Process) : Community Group, Parish, Town, District, Borough Council
Documentation Required	<ul style="list-style-type: none">• Signed Agreement by all volunteers.• Training completed by all volunteers.• Notification document sent when works are undertaken and completed by Lead Volunteer.	<ul style="list-style-type: none">• Signed Agreement by relevant external group.• Evidence of insurance provided.
Benefits of Option	<ul style="list-style-type: none">• Allows residents to take part in weed maintenance without creating own documentation or insurance.	<ul style="list-style-type: none">• Little paperwork or admin.• Groups can weed ad hoc.• Groups can cover a large area, not just one single road.
Restrictions of Option	<ul style="list-style-type: none">• Groups cannot undertake weed maintenance ad hoc.• Amount of admin/paperwork.• Only suitable for individual roads.• Request to wear full PPE supplied including goggles due to requirement from insurance.	<ul style="list-style-type: none">• Reliant upon an external group taking responsibility.

In all cases if it is found from safety inspections a group is not maintaining the weeds to keep an accessible footway, contact will be made with the relevant lead volunteer, County Councillor or external group giving an opportunity to carry out further maintenance. If an issue persists the area will be added back onto the standard weed maintenance schedule.

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Post Project Review

Project Title	Reactive Weed Maintenance 2023
Author	Fenella Lillywhite
Date	18/09/2023
Version	0.1

Purpose of This Document

To collate and review the information and feedback from the trial of the reactive weed maintenance undertaken through the weed maintenance season of 2023.

To understand the successes and issues faced by undertaking reactive weed maintenance on select roads.

To present the outcome and conclusions made from this trial.

Trial Overview

The reactive trial worked on the same principle as other highways reactive services, such as potholes, whereby ESCC would only attend to weed control when areas are identified by a highway steward inspection or via a customer report. Weeds would be removed when posing a health and safety risk or potential damage to the infrastructure.

The method of control would vary depending on location but would not include use of Glyphosate.

This was only an option on cul-de-sacs or residential roads with low-speed limits. See **Appendix A** for list of reactive roads.

Benefits Noted

- No Glyphosate used.
- Appeases residents against the use of glyphosate.

Issues Noted

- Weeds generally worse in paved areas, channels and at property/highway boundaries.
- Large weeds restricting width of pavement causing accessibility issues.
- Public perception e.g. Highways are not undertaking works they are responsible for, cost cutting.

Considerations

- Increase in claims due to trips and hazards on footway.
- Cost increase due to call out for specific tasks.
- Deterioration of assets over time predominantly from roots causing cracking and lifting of pavement.
- Footway accessibility.
- Increase in complaints from those expecting complete weed removal.

Customer Cases

Year	Number of cases to do with weeds in trial areas.
2023	7
2022	9
2021	4
2020	6
2019	8

There has been no noted increase in customer cases due to the trial.

Resident Feedback

Feedback from residents taking part in the trial has been positive, with many expressing concerns around the use of glyphosate and finding the greener streets visibly more appealing.

Some residents cleared weeds themselves in reactive trial areas, ensuring they do not become too lush.

General Feedback

Although standard case numbers have remained similar to pre-trial levels, the public have voiced their opposition through other routes, such as directly to Members, on Highways Facebook posts, the complaint process and submission of Information Requests.

It should be noted that there is a certain mix of public opinion in terms of how weeds should be maintained, and concerns are more frequently being raised for reasons such as accessibility, safety and aesthetics.

Contract and Commercial Supervisor Visits

The Contract and Commercial Supervisors inspected the reactive trial locations and noted that generally those that have received no maintenance over the past 2 years have larger weeds which could cause potential deterioration and accessibility issues.

The main areas with issues were generally found to be paved areas. In addition, channels, kerbs and at property/highway boundaries. These areas are noted to be places where soil and detriment can collect allowing weeds to grip and grow.

See **Appendix B** for comments and **C** for images.

Costs

Emmanuel Road and St Georges Road in Hastings did not receive Glyphosate sprays in 2022 and 2023 and provide a good example of two years' worth of growth, see **Appendix D** and therefore the costs to maintain using a strimmer and removal of foliage.

- £1,356.88 for Emmanuel Road and the footpath located between St Georges Road and St Thomas's Road, Hastings
- £644.79 for St Georges Road, Hastings

Appendix 3

The pavement length for both sides of St Georges Road is 734 metres (0.456086 miles). Therefore, if the 1,914 miles of channels, footpaths, central reservations and islands which are currently maintained was considered under the same costs it could be in the region of 49 times more expensive than the current weed spraying service at £55,000.

There is potential for these situations to become more frequent if rolled out wider and weeds are not maintained appropriately, year on year.

Contractor Feedback

The contractor team which visited Emmanuel Road and St Georges Road to trim and hand pick weeds found it was impossible to ensure the whole weed had been removed and advised that the area would require spraying.

Outcome & Conclusion

Moving to a reactive approach would lead to a deterioration in asset condition if regular maintenance is not undertaken.

The full impact would take several years to understand, however from the 2-year trial it can be seen in this limited time how weeds can affect highway infrastructure without maintenance.

This therefore presents a safety and accessibility hazard as weed growth can damage paved surfaces, displace kerb stones, and crack walls, all of which make maintenance difficult and costly.

It is therefore recommended that reactive maintenance is not continued at this stage.

Appendix 3

Appendix A – Reactive Roads

- **The Fairway St Leonards**
- **Plynlimmon Road Hastings**
- **Roebuck Street Hastings**
- **High Wickham Hastings**
- **Edgar Road Hastings**
- **All Saints Street Hastings**
- **Croft Road Hastings**
- **Clive Avenue Hastings**
- **Beaufort Road Hastings**
- **Anglesea Terrace Hastings**
- **West Hill Road St Leonards**
- **Aldborough Road Hastings**
- **St Johns Road Hastings**
- **Maze Hill Terrace Hastings**
- **Stanhope Place Hastings**
- **De Cham Road Hastings**
- **Hillyfield Lewes**
- **Winterbourne Close Lewes**

Appendix B – Supervisor Review

Location	When	ESCC Supervisor Review 24/08/2023
The Fairway St Leonards	Reactive 2023	Green Condition Very little weeds found
Plynlimmon Road Hastings	Reactive 2023	Amber Condition Half the street is clear other half has a lot of weeds.
Roebuck Street Hastings	Reactive 2023	Amber Condition Very small weeds found but overall tidy.
High Wickham Hastings	Reactive 2023	Amber Condition 2 small areas have been untouched rest of street has small weeds
Edgar Road Hastings	Reactive 2023	Amber condition Few small areas where weeds have been found but overall looks clear.
All Saints Street Hastings	Reactive 2022 &2023	Red condition Large area where weeds are across footway. Majority of street looks untouched.
Croft Road Hastings	Reactive 2023	Amber Condition Majority of footway looks clear however some areas where weeds remain
Clive Avenue	Reactive 2023	Amber Condition Large area has been cleared, however few small areas where weeds remain.
Beaufort Road Hastings	Reactive 2022&2023	Amber Condition Majority of area is clear some patches where weeds are collecting.
Anglesea Terrace Hastings	Reactive 2023	Amber condition Majority of footway is clear few small areas

Location	When	ESCC Supervisor Review 24/08/2023
		where weeds have collected.
West Hill Road St Leonards	Reactive 2023	N/A
Aldborough Road Hastings	Reactive 2023	Amber Condition Large areas clear of weed however some small areas where weeds have been found.
St Johns Road Hastings	Reactive 2023	Red condition Large areas completely untouched.
Maze Hill Terrace Hastings	Reactive 2023	Amber Condition Majority of footway is completely clear however few small areas remain.
Stanhope Place Hastings	Reactive 2023	N/A
De Cham Road Hastings	Reactive 2023	Amber Condition Majority of footway is completely clear however few small areas remain.
Hillyfield Lewes	Reactive 2022 & 2023	Amber Condition Majority weed free.
Winterbourne Close Lewes	Reactive 2022 & 2023	Amber Condition Majority weed free.

Appendix 3

Appendix C – Supervisor Images



Appendix 3

Plynilmmon Road



Roebuck Street





Edgar Road





Appendix 3



Clive Avenue



Appendix 3



Anglesea Terrace

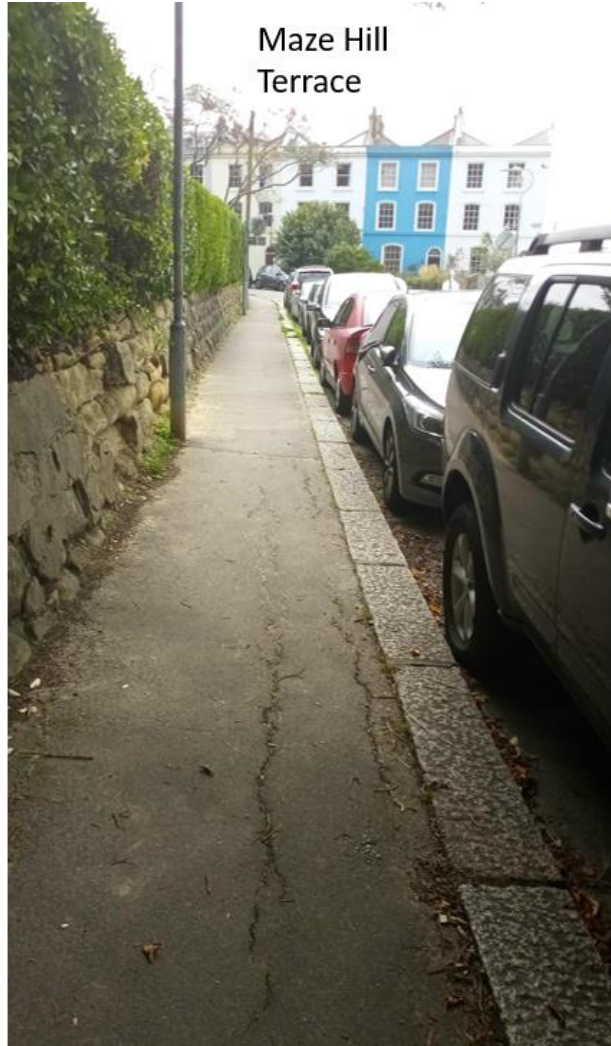




St Johns Road



Appendix 3



De Cham Road





Appendix 3

Appendix D - Emmanuel Road Images



Post Project Review

Project Title	Road Sweeping & Strimming as Weed Maintenance 2023
Author	Fenella Lillywhite
Date	18/09/2023
Version	0.1

Purpose of This Document

To collate and review the information and feedback from the trial of road sweeping and strimming as weed maintenance and understand the successes and issues faced.

To present the outcome and conclusions made from this trial.

Trial Overview

On the 31st July 2023 a trial was undertaken utilising a road sweeper from Wealden District Council and East Sussex Highway strimming team to understand the effect these techniques have on weed maintenance.

This trial was undertaken on 4 select roads in Hailsham:

- Swan Road
- Hawthylands Road
- Hawkswood Drive
- Lansdowne Road

Benefits Noted

- No Glyphosate used.
- Appeases residents against the use of glyphosate.
- A cleaner, neater finish compared to traditional spraying.

Issues Noted

- Labour intensive; minimum of 3 persons to strim and drive road sweeper.
- Slow; this method takes longer than traditional spraying.
- Noisy; this method is very noisy due to the strimmer, blower and sweeper.
- Potential car damage, from strimming and flicking stones.
- Parked cars can impact this method's efficiency substantially as works cannot go ahead.
- Roots generally remain in place meaning quicker regrowth.
- Across Authority collaboration could be hard to programme.

ESCC Asset Engineer Feedback

An ESCC officer supervised the trial advising that two roads (Hawkswood Drive & Swan Road) were abandoned due to the volume of parked cars, causing manoeuvrability issues for the sweeper, and concerns from the contractors of loose stones and proximity to the parked cars.

See **Appendix A** for images from the Lansdowne Road and Hawthylands Road trials.

Appendix 4

The officer then visited again at 2 weeks and 4 weeks after the initial maintenance was undertaken. See **Appendix B** for comparison images.

The officer advised that the trial sites have had minimal weed regrowth, especially following a particularly wet summer. Although highlighted one site with the worst regrowth across the trial sites. See **Appendix C**.

Wealden District Council & Biffa Feedback

Wealden District Council and Biffa representatives highlighted that although the technique worked and the results were acceptable, it took 6hrs to clear 2 roads which is not viable and very costly. They would not be able to allocate enough resource to undertake this technique.

Costs

This method will have increased costs due to the labour-intensive technique of strimming requiring additional personnel.

As District and Borough Councils already fully utilise their road sweepers, a potential additional cost may be either subsidising them or renting the equipment to undertake highways specific weed maintenance.

Outcome & Conclusion

Although effective, this method has a lot of constraints in terms of accessing all areas where weed maintenance is needed.

It also has an increased cost due to the number of personnel required and potential re-visits.

This joined up approach will continue to be reviewed, through bi-annual meetings with District and Boroughs.

Appendix 4

Appendix A Landsdowne Road:



Appendix 4

Hawthylands Road:



Appendix 4

Appendix B



Appendix 4

Appendix C



Appendix 5 Weed Maintenance Techniques Research

Glyphosate	
Description	<p>Blocks plants enzyme system resulting in total weed control.</p> <p>East Sussex weed control is undertaken once a year by spraying Glyphosate herbicide along footways and kerb channels where weeds exist using a diluted 95% water, 5% Glyphosate solution. We only spray where weeds are present.</p>
Research	<p>York City Council – 3 times a year.</p> <p>West Sussex County Council – 2 times a year.</p> <p>Kent County Council – 2 times a year.</p> <p>Surrey County Council – once a year. They don't mention glyphosate but state they use herbicides.</p> <p>Hertfordshire County Council – 2 times a year.</p> <p>Nottinghamshire County Council – 2 times a year. Note they use weed killer but do not state name.</p> <p>Essex County Council – 2 time a year. Note they spray but do not state with what.</p> <p>Gloucestershire County Council – 2 times a year. Also notes their aim to achieve a high standard of street cleaning and weed control to improve the appearance of the City.</p> <p>Hampshire County Council – 1 time a year.</p> <p>Lancashire County Council – use glyphosate, do not state how often.</p> <p>Leicestershire County Council – 2 times a year. Note they don't mention a name but state they spray.</p> <p>Lincolnshire County Council – 1 time a year.</p> <p>Norfolk County Council – reduced to 1 spray a year from 2023. Within the minutes of Cabinet they noted <i>Reduced use of glyphosate was critical to this approach, however switching away from its use entirely would mean more labour intensive and mechanical methods which would increase carbon emissions.</i></p> <p>Staffordshire County Council – 1 time a year.</p> <p>Warwickshire County Council – 'annual spraying programme'.</p> <p>Worcestershire County Council – 'generally twice a year'</p> <p>Cardiff City Council 2021 trial found from glyphosate, acetic acid and foam stream: Based on the cost, environmental, customer and quality criteria (efficacy and sustainability criteria) measured, the most effective and sustainable weed control method currently available for pavement weed control in the UK involves the use of glyphosate-based herbicide.</p> <p>Nottinghamshire undertook a trial in 2022 to reduce the number of sprays. From this trial they agreed to continue the single spray option into 2023.</p>
Concerns	<p>Awaiting the EU to publish documents on their risk assessments. For the EU its authorised up until the 15th December 2023. For the UK it is approved until at least 15th December 2025.</p>
Conclusion	<p>Glyphosate is approved in Great Britain until at least 15 December 2025.</p> <p>Cardiff's independent scientific report found 'The responsible glyphosate-based approach to weed control currently used by the council is the most sustainable method of weed control currently available in the UK'.</p> <p>Research shows that the majority of other County Councils who advise how they maintain weeds use a glyphosate technique.</p>

Appendix 5 Weed Maintenance Techniques Research

Acetic Acid	
Description	<p>Acetic acid works by causing plant desiccation, which means that it causes plants to “dry out”.</p> <p>Acetic acid found on supermarket shelves (Vinegar) would be a 5% concentration. It is recommended a concentration between 20-30% is most effective to kill weeds.</p>
Research	<p>York 2021 trial Acetic Acid applied at 20% strength. Areas treated with acetic acid and Enclean (see nonanoic) showed less weed die back than glyphosate. Site visits with the external advisor in mid-May found several properties had large weeds growing where the pavement meets the property. The weeds had survived the treatment and continued to grow. Complaints from the test area were more frequent than non-test areas and visually the areas were weedier at the time of the second spray in July 2021.</p> <p>Suffolk County Council use Acetic Acid For the 2023 season an acetic acid weed treatment will be used. These products are natural and licensed for use as herbicides on hard surfaces.</p> <p>Cardiff City Council 2021 trial (application 4 times a year) acetic acid delivered intermediate costs and environmental impacts with low customer satisfaction and quality. Larger product use than glyphosate. The larger acetic acid product application volume mainly relates to the fact this molecule is not specifically poisonous (herbicidal) to plants, does not work at low concentrations and does not move around all parts of the plant.</p>
Concerns	<p>Acetic acid is not recommended as this has additional health risks to both the applicant and the public. The recommended strength to kill weeds can also burn the skin. Consideration also needs to be given to animals such as dogs who may come into direct contact with it.</p> <p>Should not be sprayed around reactive metals such as aluminium, tin, iron as staining, mottling or other harm to the finishes or surfaces may occur.</p> <p>Greater costs and less effective per application.</p>
Conclusion	<p>Acetic acid visibly effects weeds quickly, especially in sunlight however generally only leads to top of the weed being killed and weeds returning quickly. It should not be sprayed around certain metals so consideration would need to be given to its use around vehicles, streetlamps, and other structures. In addition, there is an increased health risk, eye and skin irritation.</p>

Pelargonic Acid (Nonanoic acid)	
Description	<p>A contact acting total herbicide containing pelargonic acid which is derived from sustainable plant origins (Sunflower & Oilseed Rape meal). Once applied the product causes dehydration in weeds within hours, degrades rapidly and has no residual herbicide activity.</p>
Research	<p>Dudley BC trialled in 2022 using Katoun Gold on Grass Edges, Obstacles and Perimeters of parks/openspaces. Found no issues using.</p>
Concerns	<p>Pelargonic acid should not be used on hard surfaces as the product needs to enter the soil to degrade.</p> <p>The hard surface version of Enclean (nonanoic) is only for moss and algae deposits on pavements.</p> <p>The Health and Safety Executive (HSE) official guidance confirms that this product does not have approval for use on hard surfaces.</p>

Appendix 5 Weed Maintenance Techniques Research

	States it has an adverse effect on bees within the documentation.
Conclusion	This product is not suitable for use on the highway.

Foam Stream	
Description	Made from natural plant oils and sugars. Foamstream is combined with hot water and applied to weeds using a lance. The foam insulates the hot water, ensuring the heat is not lost to the atmosphere. This ensures the heat covers the plant for long enough for it to kill or severely damage the plant.
Research	<p>Dudley 2022 trial found using the machine was not practical on main roads or in areas with high numbers of parked cars. Considerable time is lost needing to refill the machine with water. Two operatives are required to drive and operate the machine, with the treatment taking longer to apply than a conventional spray. The machine is diesel/petrol powered and requires vehicle mounting.</p> <p>Pg 4 'North Yorkshire County Council have tested hot foam in 2021. They found that foamstream requires 2 to 3 treatments. Broadly they have found the treatments to be of success but they do not have any current plans to roll the provision out any further across the County. The main reason for this is that it is essentially a machine more suited to urban areas and NYCC do not believe the system to be suitable for more rural and disparate areas. Additionally, the set up costs for the trial have been high and with the move to Local Government Reorganisation they are not progressing any further.</p> <p>Cardiff City Council 2021 trial (application 3 times a year) hot foam generated high costs and environmental impacts, but high customer satisfaction and quality. Large water use and large fuel use. Based only on labour costs, application of hot foam alone is therefore 31 times more expensive than glyphosate; however, it is notable that this estimated cost does not account for the greater equipment purchase costs associated with hot foam treatment compared with the application of both acetic acid and glyphosate. Hot foam is therefore a carbon intensive control method.</p> <p>Hot foam required 629.64 litres of water per kilometre - 62 times more water than glyphosate, which required 13 litres per kilometre. Acetic acid required 8.44 litres per kilometre.</p> <p>Applying glyphosate used less fuel - just 0.18 litres of diesel per km treated, compared to 0.19 litres for acetic acid, and 12.33 litres of diesel, plus 2.13 litres of petrol for hot foam - that's 63 times more diesel and 100% more petrol than required for glyphosate.</p> <p>West Sussex County Council undertook a Foam Stream Trial in 2022 and concluded that the time, chemical, water and fuel massively exceed the resources of using glyphosate. Highlighting concerns around carbon footprint and the speed that the perennial weeds return.</p>
Concerns	Much higher cost, have other environmental impacts, and are more difficult to use in a congested urban environment or rural area due to distance.
Conclusion	Consideration should be given to the increased water and fuel usage and whether that outweighs the other environmental benefits. Not efficient for use on the large highway network.

Flame Guns	
Description	Use of flames to destroy vegetative matter.

Appendix 5 Weed Maintenance Techniques Research

Research	Nottinghamshire considered various thermal weed control methods in their 2022 trial and none proved suitable.
Concerns	Use of flames around parked vehicles and highway infrastructure.
Conclusion	Due to the nature of the highway flame guns are not suitable to be used around areas with parked vehicles.

Page 98	Volunteer	
	Description	Using volunteers from the relevant street to undertake weed maintenance on the behalf of the County Council.
	Research	<p>Kent County Council advises public on their website: <i>Pulling or hoeing weeds would save us using weedkiller. We recommend wearing gloves when touching any plant you are unfamiliar with, in case you have a reaction to the sap or prickles. Sweeping up after can help prevent further weeds growing.</i></p> <p><i>The weedkiller we use may remain in the plant system for 6 weeks or more, so you should not put treated weeds into your compost or into your green waste collection. We are unable to collect removed weeds or dirt from you, so you must carefully and safely dispose them yourself.</i></p> <p><i>Always make sure you can carry out any maintenance safely, wear personal protective equipment (PPE) and be aware of pedestrians, cyclists and drivers.</i></p> <p>Wirral Council considered volunteers but found: <i>One of the issues that arose was that the manual hand scraping method used by community groups generated a significant potential health and safety risk, with volunteers at the alternative method trials complaining of back pain after relatively short periods of weeding. There were also health and safety concerns identified relating to the risks associated with volunteers working near or on the highway. It is evident therefore that the use of volunteers to carry out weed control would not be viable to keep the 100,000km of roads and pavements free of weeds. However, involving community groups and volunteers in weed control in a supporting way is welcomed and should be promoted (with appropriate risk assessment and support from officers).</i></p> <p>Brighton and Hove asked the public to tackle unwanted plants themselves. This was met with some backlash from residents and news outlets:</p> <p>The following article from the Daily Mail highlights ‘fury’ of residents. Reading some of the 1100 comments from the article themes range from charging the council for their time, losing tourism, taking pride in your local area, support and opposition for the continued use of glyphosate. This following article from the Argus highlights the scheme as being ‘outrageous’, noting safety and the Councils statutory duty. Reading some of the 33 comments the themes range from who is responsible if someone is injured, that it is a service being paid for, support for glyphosate.</p> <p>Lancaster City Council has taken the decision to stop using Glyphosate and instead are asking residents to <i>help tackle the issue by working with others in their community to pull weeds by hand or using another method, such as boiling water.</i> However, it should be noted that they passed back responsibility of highways maintenance to Lancaster County Council who remains using Glyphosate.</p>
	Concerns	Health and Safety issues and public perception.
	Conclusion	Consideration needs to be given to the management needed of a scheme like this and who is responsible for safety.

Appendix 5 Weed Maintenance Techniques Research

Weed Rippers	
Description	Mechanical pedestrian machines for physically removing weeds from hard surfaces.
Research	<p>Dudley 2022 trial used weed rippers which were considered effective where weeds are already established, but effective use requires two operatives.</p> <p>Brighton and Hove are starting to utilise weed rippers and machines. Too early to provide feedback.</p>
Concerns	<p>Two staff members need to be able to alternate the device due to vibration, this can range from every 20 minutes to every hour depending on the device used. Brushes need to be replaced at a cost of around £89 - £150 depending on device. Cost of device also need to be considered.</p> <p>The device can cut weeds but doesn't remove roots and is a slow, physically demanding process.</p>
Conclusion	Additional staff needed for slower progress and technique which does not tackle the root of the plant.

Hoe and Hand/Manual	
Description	Manual techniques to remove weeds, using simple gardening tools.
Research	<p>Dudley 2022 trial found that whilst effective, this operation is more labour intense.</p> <p>The London Borough of Hounslow has switched from using Glyphosate to manual based approaches. The budget spent on glyphosate has been reused to employ more operatives to manually remove weeds as part of the two-weekly ward-based cleansing schedule. A dedicated team with strimmer's to support the ward-based teams. They advise that operatives take a little longer to effectively clear weeds on Hounslow's public highways. And manually removing weeds means they do grow back faster, so ongoing control is likely to be necessary.</p> <p>They target specific roads they received reports from the previous years for this year's programme. And then deal with any safety issues.</p>
Concerns	The number of staff needed to undertake a maintenance technique like this across a whole County.
Conclusion	Would be best utilised in addition to another technique.
No Planned Maintenance / Reactive	
Description	Weeds reported by the public maintained only.
Research	<p>Norfolk County Councils Cabinet report noted that they would be <i>re-evaluating where greater weediness can be tolerated on an annual basis is better practice than 'business as usual'.</i></p> <p>Nottinghamshire undertook a trial in 2022 to spray on demand in certain areas. From this trial they agreed to continue the spray on demand option into 2023 for certain areas.</p> <p>Brighton and Hove have received concern from leaving areas with weeds. The following article from the Daily Mail highlights Elderly and disabled concerned about trips.</p>
Concerns	Accessibility for those with protected characteristics. Effect on the infrastructure if weeds are left. Negative public perception.

Appendix 5 Weed Maintenance Techniques Research

Conclusion	Tolerance to weeds in streets could be tested further.
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Road Sweeping	
Description	Mechanical sweeper generally utilised for keeping public roads clean. Generally, the responsibility of District and Borough Councils.
Research	Gloucestershire spraying is supported by sweeping in the more central areas advising that: <i>Roads which are swept frequently with a high build quality should only require minimal herbicide treatment.</i>
Concerns	Reliance upon District and Brough Council service.
Conclusion	There is a correlation between road sweeping and less weeds due to weeds not having the detritus to hold onto.

Integrated Pest Management (IPM) / Integrated Weed Management	
Description	Achieving weed maintenance by utilising a range of strategies. The aim of IWM is to diversify weed management strategies to reduce the reliance on herbicides and promote the use of site-specific weed management and target applications to reduce herbicide impacts, where possible.
Research	Cardiff Report (pg 6) provides information on IPM to use a range of weed controls: <ul style="list-style-type: none"> • Cultural (preventative) • Physical (mechanical) • Biological (biocontrol or bioherbicides) • Chemical (herbicides, also known as plant protection products; PPPs) • Integrated Pest Management (IPM)
Concerns	Decision on where to use which devices, scheduling issues and increased costs due to using a range of options. Different areas receiving a different service.
Conclusion	A standard base service should be provided to all residents across East Sussex to avoid the feeling of discrimination against certain areas.

Weed Maintenance Volunteering Options

Any volunteer undertaking maintenance on the Highway needs to be covered by a minimum of £10 Million Public Liability insurance.

There are two options available:

Insurance Provided by:	East Sussex County Council	External Group (Standard Highways Volunteering Process) : Community Group, Parish, Town, District, Borough Council
Documentation Required	<ul style="list-style-type: none"> Signed Agreement by all volunteers. Training completed by all volunteers. Notification document sent when works are undertaken and completed by Lead Volunteer. 	<ul style="list-style-type: none"> Signed Agreement by relevant external group. Evidence of insurance provided.
Benefits of Option	<ul style="list-style-type: none"> Allows residents to take part in weed maintenance without creating own documentation or insurance. 	<ul style="list-style-type: none"> Little paperwork or admin. Groups can weed ad hoc. Groups can cover a large area, not just one single road.
Restrictions of Option	<ul style="list-style-type: none"> Groups cannot undertake weed maintenance ad hoc. Amount of admin/paperwork. Only suitable for individual roads. Request to wear full PPE supplied including goggles due to requirement from insurance. 	<ul style="list-style-type: none"> Reliant upon an external group taking responsibility.

In all cases if it is found from safety inspections a group is not maintaining the weeds to keep an accessible footway, contact will be made with the relevant lead volunteer, County Councillor or external group giving an opportunity to carry out further maintenance.

If an issue persists the area will be added back onto the standard weed maintenance schedule.

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Report to: Lead Member for Transport and Environment

Date of meeting: 11 December 2023

By: Director of Communities, Economy and Transport

Title: Rural Verges as Wildlife Corridors - Trial of Early Season Reduction in Rural Grass Cutting

Purpose: To agree the way forward following the rural grass cutting trial

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Agree to offer a reduced number of cuts for grass verges in rural areas;**
 - (2) Agree, subject to recommendation 1 above, the proposed updates to the Highway Verges and Vegetation Policy; and**
 - (3) Agree that single track lanes, with the exception of wildlife verges, will continue to be excluded in any reduced rural grass cutting because of safety concerns along narrow roads.**
-

1. Background Information

1.1 East Sussex is a largely rural county with a large rural network of verged roads which provide important connections for local communities.

1.2 East Sussex County Council (ESCC) has received an increased level of Member and resident contact regarding rural verge cutting since May 2020. Most notably an increase in requests to stop cutting rural verges or change the schedule in line with wild plant cycles. This has been partly driven by the charity Plantlife's Road Verge Campaign, and a number of articles in the press and social media highlighting the benefit of road verges as wildlife corridors.

1.3 ESCC has also set targets for carbon reduction of which increased biodiversity plays an important part.

2. Supporting Information

Current Situation

2.1 The standard rural grass cut is a 1.0 metre wide swathe undertaken along the verge length with wider areas cut around junctions and bends to ensure good visibility is maintained. This is carried out twice a year. In addition, a full cut back to the highway is carried out on approximately a quarter of rural verges each year to prevent brambles, invasive weeds and trees from taking-over verges. See Appendix 1 for the current Highway Verges and Vegetation Policy (the Policy).

The Trial

2.2 A trial reduction in verge cutting has been undertaken over the last three years, since 2021. Initially Borough, Parish and Town Councils who had previously expressed an interest were invited to take part in the trial. In 2023 all Borough, Parish and Town Councils were given the option to receive reduced cuts, with 27 electing to take part. See Appendix 2 for Borough, Parish and Towns involved, and Appendix 3 for the Equality Impact Assessment carried out for the trial.

2.3 The trial reduced the frequency of grass cutting services along rural verges in the selected areas to one visibility cut undertaken around May or June, and a single one metre swathe with visibility cuts in the Autumn.

2.4 This change meant that ESCC would not cut rural verges in the trial areas (except for visibility) during the flowering season and when it is the most beneficial time for pollinators so the verges can act as wildlife corridors. Flowering plants would then be able to complete their lifecycles and set seed, providing further biodiversity benefits.

2.5 Safety issues remained the priority, with any visibility or access issues being picked up and rectified through the usual reporting and reactive process.

Customer Feedback

2.6 Feedback was collected throughout the trial, which received a largely positive result:

- In 2021, 88 responses were received. 56 (63%) were in favour of the reduction.
- In 2022, 28 responses were received, 22 (78%) were in favour of the reduction.
- In 2023 so far, 45 responses were received, 35 (77%) were in favour of the reduction.
- For all years the main reasons people opposed the trial were safety, aesthetics ('looks messy') and the perception that it was a money saving exercise by the Council.

2.7 Feedback from Councillors has been mixed. Some are in favour of the reduction, whilst others have concerns about the combination of highway deterioration and unkempt grass, potentially coupled with changes in weed maintenance. Councillors have noted similar negative feedback from residents who had contacted them.

2.8 Feedback from Borough, Parish and Town Councils involved in the trial has been positive, highlighting the benefits to biodiversity and an interest in rolling the service out further.

Operational Feedback

2.9 The grass cutting season in 2021 saw a significant amount of rainfall compared to 2022 which was a very dry season and therefore it is difficult to draw comparisons between the two years. The 2023 season was variable, creating perfect conditions for grass growth.

2.10 The contractor undertaking the verge maintenance noted that the verges that only received one cut don't look as tidy due to the length of grass and the amount of laying grass. They advised that areas with only one cut can take longer to cut and could potentially damage equipment as the operatives are unable to see debris in the verges. Potential impact is that those verges that only receive one cut a year, may take longer to cut in subsequent years.

Defects

2.11 There was an increase in reported visibility problems in the trial areas for all years. Grass visibility defect details can be found at Appendix 4.

Future management

2.12 The trial has been largely successful and well received by those taking part.

2.13 It is therefore recommended that the Council formally adopts this as Policy, so that it is available to all Parish and Town Councils to opt in to. For those areas that do not opt into this approach, the current grass cutting regime will continue. See Appendix 5 for proposed updates to the current Policy, indicated in red.

2.14 A proposed update to the urban grass cutting service has also been included in the draft Policy in line with current practice and service agreed by the Lead Member for Transport and Environment in May 2018.

2.15 If agreed, all Borough, Parish and Town Councils will be contacted in January 2024 and given the opportunity to opt into a reduced cut and enhanced biodiversity service. This will then be the default service for that area, unless the Borough, Parish or Town Council advises ESCC otherwise.

2.16 Safety concerns would remain a priority, with any reported visibility or access issues being picked up and rectified through the usual process.

3. Conclusion and Reasons for Recommendations

3.1 Overall, the trial has been well received, with feedback each year being taken onboard, and appropriate changes made, such as the exclusion of single-track lanes.

3.2 The trial has successfully included 618 miles (out of a total of 1,790 miles) of rural verges managed for biodiversity reasons.

3.3 The Lead Member is recommended to agree to offer reduced rural cuts to all Borough, Parish and Town Councils for rural grass cutting as standard practice.

3.4 The Lead Member is recommended, subject to the above recommendation, to agree the proposed updates to the Highway Verges and Vegetation Policy in accordance with the above option.

3.5 The Lead Member is recommended to agree that single track lanes will not be included in the reduced rural grass cutting due to concerns raised about visibility and safety on these roads, with the exception of wildlife verge applications which will be reviewed individually.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Dale Poore

Tel. No. 01273 335506

Email: dale.poore@eastsussex.gov.uk

LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None

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**EAST SUSSEX COUNTY COUNCIL
LEAD MEMBER - TRANSPORT AND ENVIRONMENT
POLICY SUMMARY**

PS 7/2	Highway Verges and Vegetation
<p>Purpose of Policy</p> <p>East Sussex County Council (ESCC) recognises the vital role played by the local highway network.</p> <p>The purpose of this policy is to set out the standards for the maintenance of highway verges and vegetation to achieve a balance between statutory obligations, safety, serviceability and sustainability.</p>	
<p>Policy Statement</p> <p>1) Verge cutting</p> <ol style="list-style-type: none"> a. The standards adopted for verge cutting throughout the County will be dependent upon the funds available in the maintenance budget. b. The County Council (or its duly appointed agents) will carry out the following cuts to verges. In this context, urban areas are, unless determined otherwise, defined as built up locations with a 20, 30 or 40mph speed limit. All other areas are rural. <ol style="list-style-type: none"> i. In Rural Areas: two cuts per annum for visibility at junctions and for safety on the inside of bends where sight lines between road users may be obscured by vegetation. ii. In Urban Areas: two cuts per annum. c. Additional cuts may be carried out at junctions and sight lines where the County Council deem it to be necessary for safety reasons where visibility is reduced. d. Further cuts may be carried out where additional funding is available. e. Areas of verge listed and marked as being of wildlife interest, will be specially maintained according to the needs of the individual verge. f. A full cut back of the county verges to the highway boundary will be completed every four years on a rotating schedule. <p>2) Weed Control - street furniture, paved areas and kerbs/channels</p> <p>Where herbicides are used for the treatment of weeds, weeds will only be treated using herbicides from the Health and Safety Executive's Pesticides Register of UK Authorised Products suitable for use on highways</p> <p>3) Hedge Trimming</p> <ol style="list-style-type: none"> a. Hedges which are adjacent to the road/footway and are the responsibility of the County Council will be trimmed once a year. b. Where the County Council determine that there are special requirements in visibility areas, cutting will be undertaken when required. 	

4) Trees

- a. Highway trees should only receive maintenance at County Council expense for reasons of health and safety, access and visibility on the highway or where they are causing damage to property. Tree maintenance work shall be undertaken in line with the recommendations of BS 3998: 2010 ('Tree work').
- b. Third parties may be given the opportunity to become involved in the provision of new trees on the Highway where appropriate.

5) Siding

- a. In rural areas only the minimum amount of siding (trimming of verges along the pavement) should be carried out on carriageways, e.g. when needed before surface dressing and the renewal of edge markings, since in most cases the traffic keeps the carriageway clear.
- b. On footways, only the minimum amount of siding should be carried out to preserve an adequate width of footway for all types of pedestrian traffic where this is considered necessary on an ad-hoc basis.

6) Third parties

- a. The Highway Authority may authorise third parties to carry out the above services or additional works to highway verges and vegetation at their own expense. E.g.
 - farmers in the county wishing to use suitable verges for haymaking;
 - individuals and organisations wishing to manage verges for wildlife or amenity purposes.
- b. Any areas planted by third parties acting under licence will be maintained by the licensee unless otherwise agreed with the County Council (refer to PS 8/6 Roadside Sponsorship)

Supporting Information

Well-managed Highway Infrastructure, 2016, UK Roads Liaison Group

Version control

H&T Committee - 22 March 1974 22.03.1974
H&T Committee - 22 October 1980 - Agenda Item 5. 23 28.10.1975
H&T Committee - 16 December 1980 - Agenda Item 6. 2 16.12.1980
H&T Committee - 11 December 1984 - Agenda Item 7 11.12.1984
H&T Committee - 31 May 1989 - Agenda Item 18. 31.05.1989
H&T Committee - 25 March 1975 - Agenda Item 8. 25.03.1975
H&T Committee - 16 September 1992 - Agenda Item 9. 16.09.1992
H&T Committee - 19 October 1994 - Agenda Item 19. 19.10.1994
T&E Committee - 10 March 1998 - Agenda Item 6. 10.03.1998
Lead Member for Transport and Environment – 21.05.2018

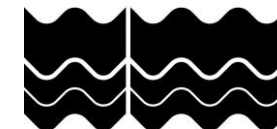
Date of last review:

Appendix 2 – Parish and Town Councils Involved in Trial

Key
Involved in 1 Season
Involved in 2 Seasons
Involved in 3 Seasons

2021	2022	2023
1. Alfriston	1. Ashburnham with Penhurst	1. Ashburnham with Penhurst
2. Battle	2. Battle	2. Battle
3. Beckley	3. Beckley	3. Beckley
4. Brightling	4. Brightling	4. Bodiam
5. Burwash	5. Burwash	5. Brightling
6. Crowborough	6. Chiddingly	6. Burwash
7. Hastings	7. Crowhurst	7. Chiddingly
8. Heathfield and Waldron	8. Ditchling	8. Crowhurst
9. Lewes	9. Framfield	9. Ditchling
10. Mountfield	10. Frant	10. East Dean and Friston
11. Wadhurst	11. Hastings	11. East Hoathly with Halland
12. Westmeston	12. Heathfield and Waldron	12. Firle
	13. Lewes	13. Framfield
	14. Wadhurst	14. Frant
	15. Warbleton	15. Hastings
	16. Westmeston	16. Heathfield and Waldron
		17. Kingston
		18. Laughton
		19. Lewes
		20. Saleshurst & Robertsbridge
		21. Sedlescombe
		22. Uckfield
		23. Wadhurst
		24. Warbleton

		25. Westmeston 26. Withyham 27. Wivelsfield
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Equality Impact Analysis Template

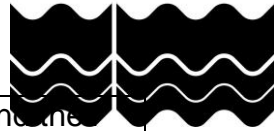
Equality Impact Analysis (EqIA) (or Equality Impact Assessment) aims to make services and public policy better for all service-users and staff and supports value for money by getting council services right first time.

We use EqIAs to enable us to consider all relevant information from an Equality requirements perspective when procuring or restructuring a service or introducing a new policy or strategy. This analysis of impacts is then reflected in the relevant action plan to get the best outcomes for the Council, its staff and service-users¹.

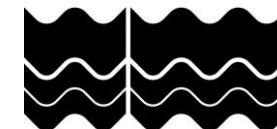
EqIAs are used to analyse and assess how the Council's work might impact differently on different groups of people². EqIAs help the Council to make good decisions for its service-users, staff and residents and provide evidence that those decision conform with the Council's obligations under the Equality Act 2010³.

This template sets out the steps you need to take to complete an EqIA for your project. Guidance for sections is in the end-notes. If you have any questions about your EqIA and/or how to complete this form, please use the contact details at the end of this form.

Title of Project/Service/Policy⁴	Reduction of Rural Grass Cutting Trial
Team/Department⁵	Highways
Directorate	Communities Economies and Transport
Provide a comprehensive description of your Project (Service/Policy, etc.) including its Purpose and Scope⁶	East Sussex County Council (ESCC) received an increased level of Member and resident contact regarding the rural roads verge cutting service over the past two years. The correspondence is largely made up of requests to stop cutting rural verges or change the schedule and frequency. This has been driven by the charity Plantlife's Road Verge Campaign, and a number of articles in the press and social media highlighting the benefit of road verges as wildlife corridors. Other local and national initiatives can also be seen to follow this approach, for example, the High Weald AONB work with Natural England on Nature Recovery Networks.



	<p>Due to the heightened interest by residents in the ecological value of roadside verges and the contribution to the landscape and character of the County, ESCC trialled the reduction of the rural grass cutting service in 2021 and 2022 in select Parish and Towns.</p> <p>Rural verges usually have two cuts per season of visibility and a 1-metre-wide swathe along the length of the verge.</p> <p>The trial reduced the grass cutting service of rural verges in those areas to:</p> <ul style="list-style-type: none"> • One visibility cut undertaken around May/June • One 1 metre Swathe with Visibility cuts in the Autumn <p>This change meant that ESCC would not cut rural verges (except for visibility) at a time when flowering is often at its peak, and it is the most beneficial time for pollinators. Flowering plants would then be able to complete their lifecycles and set seed, providing further biodiversity benefits. Safety issues remained the priority, with any visibility or access issues being picked up and rectified through the usual process.</p> <p>For 2023 the option was given to all Parish and Town Councils, 27 of which opted to receive reduced cuts.</p> <p>The majority of feedback received has been positive in terms of the reduction. Those that have said they do not support the reduction has highlighted issues such as visibility and a couple sighted a reduction in width of paths where the grass falls over. It should be noted that we do not maintain verges as footways, however if verges are affecting accessibility of a footpath, this would be dealt with as per any other safety issue.</p>
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Initial assessment of whether your project requires an EqlA

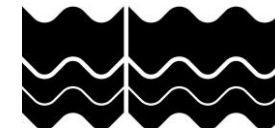
When answering these questions, please keep in mind all legally protected equality characteristics (sex/gender, gender reassignment, religion or belief, age, disability, ethnicity/race, sexual orientation, marriage/civil partnership, pregnancy and maternity) of the people actually or potentially receiving and benefiting from the services or the policy.

In particular consider whether there are any potential equality related barriers that people may experience when getting to know about, accessing or receiving the service or the policy to be introduced or changed.

Discuss the results of your Equality assessment with the Equality Lead for your department and agree whether improvements or changes need to be made to any aspect of your Project.

	Question	Yes	No	Don't Know
1	Is there evidence of different needs, experiences, issues or priorities on the basis of the equality characteristics (listed below) in relation to the service or policy/strategy area?	X		
2	Are there any proposed changes in the service/policy that may affect how services are run and/or used or the ways the policy will impact different groups?	X		
3	Are there any proposed changes in the service/policy that may affect service-users/staff/residents directly?	X		
4	Is there potential for, or evidence that, the service/policy may adversely affect inclusiveness or harm good relations between different groups of people?		X	
5	Is there any potential for, or evidence that any part of the service/aspects of the policy could have a direct or indirect discriminatory effect on service-users /staff/residents?		X	
6	Is there any stakeholder (Council staff, residents, trade unions, service-users, VCSE organisations) concerned about actual, potential, or perceived discrimination/unequal treatment in the service or the Policy on the basis of the equality characteristics set out above that may lead to taking legal action against the Council?		X	
7	Is there any evidence or indication of higher or lower uptake of the service by, or the impact of the policy on, people who share the equality characteristics set out above?		X	

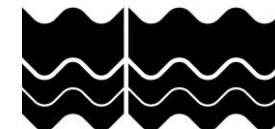
If you have answered "YES" or "DON'T KNOW" to any of the questions above, then the completion of an EqlA is necessary.



The need for an EqIA will depend on:

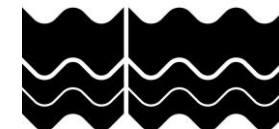
- How many questions you have answered “yes”, or “don’t know” to;
- The likelihood of the Council facing legal action in relation to the effects of service or the policy may have on groups sharing protected characteristics; and
- The likelihood of adverse publicity and reputational damage for the Council.

Low risk	Medium risk	High risk
	<p>The project has a medium risk due to the area the trial covers, its significance and the potential numbers of people affected.</p> <p>There is a risk that some of those sharing specific protected characteristics may not be able to access the highway network as safely as those without those protected characteristics.</p> <p>Some people sharing specific protected characteristics may be adversely affected in terms of safety or ability to access the highway before we are able to rectify the issue that has arisen. (e.g. only able to cut an overgrown verge once it has been reported)</p>	



1. Update on previous EqlAs and outcomes of previous actions (if applicable)⁷

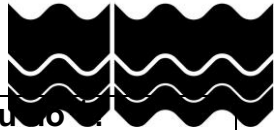
What actions did you plan last time? (List them from the previous EqlA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action Plan below)
Visibility, narrow footpaths, inaccessible verges. More information on effects of reduction in rural grass cutting from feedback form and customer correspondence.	<p>Negative feedback received mainly commented on untidiness and safety in terms of visibility.</p> <p>In 2022 there were no noted increase in reports in trial areas. They remained inline, and even less, than areas outside the trial.</p> <p>Decision was made to not include single track lanes in the trial due to issues being raised with the width of the road due to the grass.</p>	<p>Review EqlA following the verge cutting season to see if changes have had a significant impact on those with protected characteristics.</p> <p>To minimise impact on customers with these protected characteristics, we will ensure an efficient process (described above) whereby we can respond to issues (especially relating to any visibility or access) in appropriate timescales.</p>



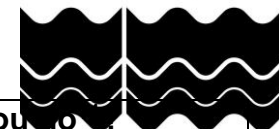
2. Review of information, equality analysis and potential actions

Consider the actual or potential impact of your project (service, or policy) against each of the equality characteristics.

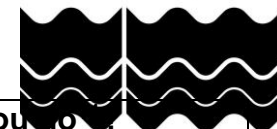
Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹¹ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹²	The highways service covers the entire county of East Sussex. East Sussex has a higher population (6.3% higher) of people aged over 65 than the average for England and Wales. But below average in age groups 0-44.	<ul style="list-style-type: none"> • Narrowed footway by overgrown vegetation creating trip hazards for elderly & children walking to school. • Visibility issues at junctions, noting potential near misses. • Access to property restricted due to overgrown verges. 	<ul style="list-style-type: none"> • The reduced frequency of rural verge cutting may mean that there will be times of the year when vegetation in the verges is quite high. • Long grass and other vegetation in the verges may mean Children on foot and older people who may be more likely to be using wheelchairs/mobility scooters etc. may suffer a greater reduction in visibility and/or be harder for traffic to see. • They may also find it harder to walk on verges through long vegetation to take refuge from traffic in areas where there are no footways. • If vegetation is overgrown to the extent where pedestrians have to walk in the carriageway, this 	<p>To minimise impact on customers with this protected characteristic, we will ensure an efficient process whereby we can respond to issues in appropriate timescales.</p> <p>Throughout the trial safety issues will remain our priority, with any visibility or access issues being picked up through the standard process and rectified.</p> <p>East Sussex Highways can be contacted 24 hrs a day, 7 days a week via phone, email and post and is readily accessible for people with all protected characteristics.</p>



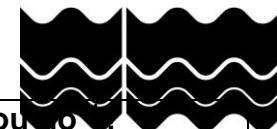
Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			<p>will have a negative impact on their safety (real and perceived) and could reduce their ability/confidence to access the highway network and consequently the surrounding area.</p> <ul style="list-style-type: none"> • Older people with reduced mobility or in wheelchairs/mobility scooters etc. may be more affected by the narrowing of footpaths and roads due to overgrown grass and vegetation. 	<p>It may be useful to note that verges are not footpaths and should not be expected to be used as such.</p> <p>We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqIA's.</p>
Disability¹³	East Sussex has a higher population of people with a disability than the average for England and Wales, with 20.3% in comparison to 17.9% with a long-term health problem or disability.	<ul style="list-style-type: none"> • Narrowed footway by overgrown vegetation creating trip hazards for blind/disabled. • Requests to cut back hedges/verges to ensure path widths for accessibility. 	As per Age.	As per Age.



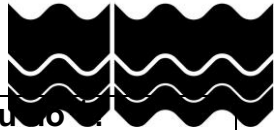
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Gender reassignment¹⁴	The government tentatively estimate there to be approximately 200,000-500,000 trans people in the UK.	We have received no specific comments.	We follow the County Councils equality commitments.	<p>This protected characteristic is not affected by the highways services and there will be no different treatment for this group.</p> <p>We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.</p>
Pregnancy and maternity¹⁵	East Sussex Statistics generally follow the national average.	<ul style="list-style-type: none"> • Narrowed footway by overgrown vegetation creating trip hazards for prams. • Access for prams, condition of pavements, trips. 	<p>Individuals with this protected characteristic may have reduced mobility as a result of longer grass.</p> <p>Those carrying children or pushing prams, buggies etc. may be affected by overgrown footways.</p> <p>As per age.</p>	As per age.
Race/ethnicity¹⁶ Including migrants, refugees and asylum seekers	East Sussex's population is largely made up of White British and Northern Irish.	We have received no specific comments.	Possible impact that someone may not be able to access or understand the trial as written on the ESH website.	Refer to the ESH accessibility statement which advises on how to read website in alternative language.



Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>We can also be contacted directly for alternative translations.</p> <p>We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.</p>
Religion or belief¹⁷	East Sussex follows the national average of more than 50% of resident of Christian belief and more than 25% of residents with no religion.	We have received no specific comments.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.
Sex/Gender¹⁸	East Sussex has a larger population of females than males, as per the 2011 census.	We have received no specific comments.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.



Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Sexual orientation¹⁹	Government estimates that 5-7% of the population is Lesbian, Gay and Bisexual.	We have received no specific comments.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.
Marriage and civil partnership²⁰	East Sussex reflects the same as nationally.	We have received no specific comments.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.
Impacts on community cohesion²¹	This project covers the whole of East Sussex which includes all Parish, Town, District, Borough Councils and various local community associations, volunteer groups and communities.	<ul style="list-style-type: none"> • Some groups and residences have a perception that some areas have more money spent on them. • Or more affluent areas have more money spent on them. • Or some areas are receiving more road closures than others causing unfair disruption 	<p>Ability/confidence to use the highway and access the community may be affected if footways are overgrown.</p> <p>Negative perception of ESH.</p>	<p>Parish/Town Councils had to agree to take part and notify residents. Only once this had been done were they added to the trial.</p> <p>We will continue to work with volunteer groups and community groups through community highways initiatives and stakeholder engagement.</p> <p>The highways service has a good track record in</p>



Protected characteristics groups under the Equality Act 2010	What do you know ⁸ ? Summary of data about your service-users and/or staff	What do people tell you ⁹ ? Summary of service-user and/or staff feedback	What does this mean ¹⁰ ? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		<ul style="list-style-type: none"> • Or areas are forgotten and left to look messy. • Restricted footway access due to overgrown grass/vegetation. 		engaging with parish councils, as well as town councils in smaller towns, on a wide range of issue through the Strengthening Local Relations (SLR) and the Community Highways Initiatives.



Additional categories

(identified locally as potentially causing / worsening inequality)

Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
Rurality²⁶	The landscape in East Sussex is predominantly rural, however the majority of the population live in urban areas, 58% live in the coastal urban areas and a further 18% live in market towns	<ul style="list-style-type: none"> Narrowed footway by overgrown vegetation creating trip hazards. Residents have a perception that rural lanes can be forgotten in terms of maintenance. Resident perception that rural areas are forgotten. Overgrown verges reduce the 	<p>Owing to the higher proportion of verges and vegetation in rural areas and lower proportion of footways, people in rural areas are more likely to be affected by this trial.</p> <p>Lack of footways is more common in rural areas than urban areas. Frequency of verge cuts will all affect how accessible verges are for pedestrians to take refuge from traffic in areas where there are no footways.</p> <p>Pedestrians in rural areas often have no choice but to walk along roads without footways to access local services, bus stops, neighbours etc. It can be more difficult or impossible to walk on verges through long vegetation.</p> <p>If the trial means that, at certain times of the year, vegetation is overgrown to the extent where it means pedestrians have to walk in the carriageway, this will have a</p>	<p>As per age and community cohesion.</p> <p>We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
			<p>negative impact on their safety (real and perceived) and could reduce their ability to access the local community/services.</p> <p>However, the rural character of the non-urban part of the county is a major attractant to many of those who live there and especially those who visit as tourists. Reduced verge cuts can have aesthetic and economic benefits in these areas.</p> <p>The maintenance requirements in rural areas are often different to urban areas, because of the environment, how the road network is used and expectations about how the countryside should look.</p>	
Carers	<p>East Sussex has an aging population. Therefore, it could be inferred that carers will align with this aspect.</p>	<ul style="list-style-type: none"> • Ensuring access to property. • Trip Hazards. • Reporting issues for disabled / elderly. 	<p>As per age.</p>	<p>As per age.</p> <p>We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
				We would continue to follow relevant ESCC policies.
Low Literacy/Numeracy	22.6% of people in East Sussex do not hold a qualification, which is comparable to national levels (22.7%) but not as low as the South East 19.1%). However it is difficult to quantify the level of literacy and numeracy because the lack of a formal qualification does not mean a person has poor literacy or numeracy skills, although it does makes it more likely.	Reports of difficulty completing forms	People with poor literacy and numeracy skills may struggle when contacting the service, particularly if they are required to complete a form or are issued with a written notice.	<p>ESH aim to communicate with service users in an accessible, easy to understand manner.</p> <p>There is always an option to phone the service and the form be completed by a customer service advisor instead.</p> <p>We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.</p> <p>As per race/ethnicity.</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
Other groups that may be differently affected (including but not only: homeless people, substance users, care leavers – see end note) ²⁷				
Assessment of overall impacts and any further recommendations²⁸ - include assessment of cumulative impacts (where a change in one service/policy/project may have an impact on another)				
<p>East Sussex County Council, as the Highway Authority, has a statutory duty to maintain the highway (Highways Act, 1980) which includes the highway verges and vegetation. However, there are no specific statutory requirements regarding the maintenance of highway verges and vegetation alongside the public highway.</p> <p>Over time, local authorities including East Sussex County Council, have developed standards in line with national codes of practice and local policy requirements to ensure safety, serviceability and sustainability needs are met. Visibility at junctions, the safety of road users and the effect of vegetation on highway drainage and footways are the main reasons for controlling vegetation on verges.</p> <p>There is a statutory duty on service providers under the Equality Act 2010 to take reasonable steps to remove or alter physical features to improve access for people with disabilities or provide an alternative method of making services available.</p> <p>All local authorities have a duty towards biodiversity under the Natural Environment and Rural Communities Act 2006. Recent guidance also recommends that vegetation on the highway network should be managed with regard to their value for nature conservation and biodiversity to encourage more wildlife e.g. in meadow verges. Reduced cutting of highways verges supports this duty.</p> <p>Feedback from the 2021, 2022, 2023 trial showed that the main concern from residents was that verges were untidy and an increase dog waste/ litter in verges. Aesthetics of verges are not part of the Councils highway duty; however, we do have regard to resident concerns and feedback. Litter is the responsibility of the Borough/District Councils, which we continue to have communication with.</p>				

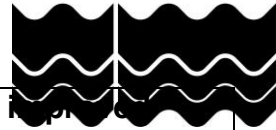


Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
	<p>A couple of residents highlighted an issue with the width of footpaths due to the long grass folding over.</p> <p>Any visibility, safety or accessibility issues as a result of the verges were picked up as standard and rectified through the usual process in through the trial.</p> <p>We cannot fully understand the impact of this reduction until the trial is complete. Therefore it was decided to undertake a trial rather than go to a fully policy change immediately. This allows feedback from those with protected characteristics to be evaluated and consideration given to any issues raised.</p>			



3. List detailed data and/or community feedback that informed your EqIA

Source and type of data (e.g. research, or direct engagement (interviews), responses to questionnaires, etc.)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
2021 feedback to the trial	2021	Some residents may have not been aware of the feedback form.	Action: Promote on social media the trial and feedback form.
Salesforce – customer phone calls, emails, web reports and letters logged on this system.	May 2016-ongoing	Possible gap if the Customer Service Advisor has not logged the information properly.	Action: going forward remind the team of the importance of capturing information relevant to those with protected characteristics.
Public Consultations	Various	Not all those effected will respond to consultations.	Action: ensure public consultations are as easy as possible to complete and are widely published. Ensure a variety of groups are engaged with.
Customer queries and complaints received by CMG and departmental officers.	Ongoing	Possible gap if not all information has been logged properly. In relation to Highways, people tend to report complaints over compliments. Therefore, we are not informed what is working well and what we can do more of.	Action: increased engagement with stakeholders and customers.
SLR meetings	Twice Yearly	Not all Parish and Town Councils take up the offer to have an SLR meeting.	Action: remind Parish and Town Councils of the option.



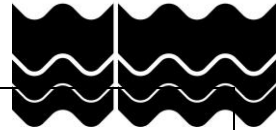
Customer Surveys e.g. smiley face / NHT.	Various	<p>Not everyone will respond.</p> <p>Unhappy residents are more likely to respond.</p>	<p>Action: increased and improved engagement with stakeholders and customers. Engagement of contractors measured within the contract.</p>
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4. Prioritised Action Plan²⁹

NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
Visibility, narrow footpaths, inaccessible verges. Age, disability, pregnancy and maternity, rural, community cohesion.	<p>More information on effects of reduction in rural grass cutting from feedback form and customer correspondence.</p> <p>Review EqIA following the verge cutting season to see if changes have had a significant impact on those with protected characteristics.</p> <p>To minimise impact on customers with these protected characteristics, we will ensure an efficient process (described above) whereby we can respond to issues (especially relating to any visibility or access) in appropriate timescales.</p>	<p>Increase in reports of issues from those with protected characteristics.</p> <p>Over time, it will be possible to identify hotspots that routinely cause problems and a more proactive approach can be taken in these areas subject to funds being available.</p>	<p>No negative feedback or complaints.</p>	<p>Duration of Trial.</p>



(Add more rows as needed)				

EqlA sign-off: (for the EqlA to be final an email must be sent from the relevant people agreeing it, or this section must be signed)

Staff member completing Equality Impact Analysis: **Fenella Lillywhite 27/10/2023**

Directorate Management Team rep or Head of Service: **Pippa Mabey 27/10/2023**

Equality lead: **Sarah Tighe-Ford 27/10/2023**



Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the Council must be aware of the Council's duties under the Equality Act 2010 and ensure they comply with them appropriately in their daily work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral, rigorous part of your decision-making process and influence the process.
- **Sufficient Information:** you must assess what information you have and what is further needed to give proper consideration.
- **No delegation:** the Council is responsible for ensuring that any contracted services, which are provided on its behalf need also to comply with the same legal obligations under the Equality Act of 2010. You need, therefore, to ensure that the relevant contracts make these obligations clear to the supplier. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy or service is developed/agreed, and when it is implemented and reviewed.
- **Proper Record Keeping:** to prove that the Council has fulfilled its legal obligations under the Equality Act you must keep records of the process you follow and the impacts identified.

NB: Filling out this EqlA in itself does not meet the requirements of the Council's equality duty. All the requirements above must be fulfilled, or the EqlA (and any decision based on it) may be open to challenge. An EqlA therefore can provide evidence that the Council has taken practical steps comply with its equality duty and provide a record that to demonstrate that it has done so.

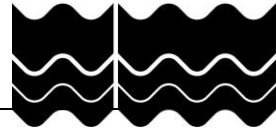
² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the actual and potential impact of our activities on people who share any of the legally 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on the nature of your project, who it might affect, those groups' vulnerability, and the seriousness of any potential impacts it might have. We use this EqlA template to gather information and assess the impact of our project in these areas.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce, minimise or eliminate any negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).



- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ **EqIAs are always proportionate** to:

- The nature of the service, or scope of the policy/strategy
- The resources involved
- The number of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed service or policy on a protected group (e.g. disabled people), the more thorough and demanding our process must be so that we comply with the Equality Act of 2010.

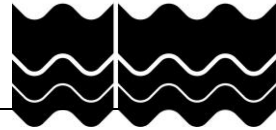
⁴ **Title of EqIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁵ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁶ **Focus of EqIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Analysis (EqIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the service, policy, strategy, practice, or function?
- Who implements, carries out or delivers the service, policy, strategy, practice, or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?



- Who is affected by the service, policy, strategy, practice, or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes, or improvements, are required and what should the benefits be?
- What do existing or previous reviews of the service, policy, strategy, practice, or function indicate to you?
- What is the reason for the proposal, or change (financial, service scope, legal requirements, etc)? The Equality Act requires us to make these clear.

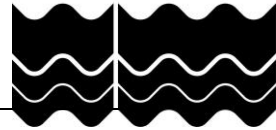
⁷ **Previous actions:** If there is no previous EqIA, or this assessment is for a new service, then simply write 'not applicable'.

⁸ **Data:** Make sure you have enough information to inform your EqIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁸
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups / communities?

⁹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act.

- What do people tell you about the services, the policy or the strategy?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.



¹⁰ Your EqlA must get to grips fully and properly with actual and potential impacts.

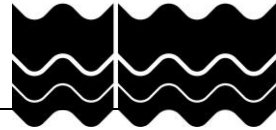
- The Council's obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that you take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so, the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹¹ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

¹² **Age:** People of all ages

¹³ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis. Carers of disabled people are protected within the Act by association.



¹⁴ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

¹⁵ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁶ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁷ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁸ **Sex/Gender:** Both men and women are covered under the Act.

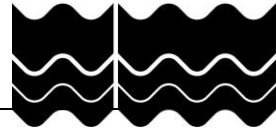
¹⁹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²⁰ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²¹ **Community Cohesion:** potential impacts on how well people from different communities get on together. The council has a legal duty to foster good relations between groups of people who share different protected characteristics. Some actions or policies may have impacts – or perceived impacts – on how groups see one another or in terms of how the council's resources are seen to be allocated. There may also be opportunities to positively impact on good relations between groups.

²² **Data:** Make sure you have enough information to inform your EqlA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?²²
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?



- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?

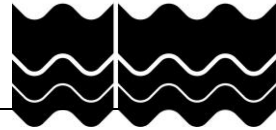
²³ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act .

- What do people tell you about the services, the policy or the strategy?
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 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.

²⁴ Your EqIA must get to grips fully and properly with actual and potential impacts.

- The Council's obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

²⁵ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.



- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

²⁶ **Rurality:** deprivation is experienced differently between people living in rural and urban areas. In rural areas issues can include isolation, access to services (eg: GPs, pharmacies, libraries, schools), low income / part-time work, infrequent public transport, high transport costs, lack of affordable housing and higher fuel costs. Deprivation can also be more dispersed and less visible.

²⁷ **Other groups that may be differently affected:** this may vary by services, but examples include: homeless people, substance misusers, people experiencing domestic/sexual violence, looked after children or care leavers, current or former armed forces personnel (or their families), people on the Autistic spectrum etc.

²⁸ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁹ **Action Planning:** The Council's obligation under the Equality Act of 2010 is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

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Appendix 4 – Defects

Data for Weeks 17-37 only (grass season)

Please note data from May 2023 is recorded slightly differently however we have endeavoured to compare like for like.

Grass visibility defects

Year	Areas Not in Trial	Trial Areas	Total	% In trial area
2018	57	10	67	15%
2019	47	11	58	19%
2020	23	11	34	32%
2021	85	29	114	25%
2022	92	44	136	32%
2023	33	20	53	37%

All grass defects

Year	Areas Not in Trial	Trial Areas	Total	% In trial area
2018	179	37	216	17%
2019	153	41	194	21%
2020	74	28	102	27%
2021	169	60	229	26%
2022	135	74	209	35%
2023	127	20	147	13%

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**EAST SUSSEX COUNTY COUNCIL
LEAD MEMBER - TRANSPORT AND ENVIRONMENT
POLICY SUMMARY**

PS 7/2	Highway Verges and Vegetation
<p>Purpose of Policy</p> <p>East Sussex County Council (ESCC) recognises the vital role played by the local highway network.</p> <p>The purpose of this policy is to set out the standards for the maintenance of highway verges and vegetation to achieve a balance between statutory obligations, safety, serviceability and sustainability.</p>	
<p>Policy Statement</p> <p>1) Verge cutting</p> <ol style="list-style-type: none"> a. The standards adopted for verge cutting throughout the County will be dependent upon the funds available in the maintenance budget. b. The County Council (or its duly appointed agents) will carry out the following cuts to verges. In this context, urban areas are, unless determined otherwise, defined as built up locations with a 20, 30 or 40mph speed limit. All other areas are rural. <ol style="list-style-type: none"> i. In Rural Areas will receive either: <ol style="list-style-type: none"> 1. Standard Service: two cuts per annum of a 1 metre wide swathe and visibility areas cut for visibility at junctions and for safety on the inside of bends where sight lines between road users may be obscured by vegetation 2. Environmental Enhancement Service: one visibility areas cut for visibility at junctions and for safety on the inside of bends where sight lines between road users may be obscured by vegetation, at start of season and one standard 1 metre wide swathe cut and visibility areas later in the season. As requested by Parish or Town Councils. ii. In Urban Areas will receive either: <ol style="list-style-type: none"> 1. Standard Service: two cuts per annum. 2. Extra cuts: additional cuts funded by Parish or Town Councils totalling 6 cuts per annum. 3. Self Delivery: The Parish or Town Council takes on responsibility to deliver all urban grass cutting in their area, with a minimum of at least 2 cuts. Contribution of cost of 2 cuts from the County Council to the Parish or Town Council. c. Additional cuts may be carried out at junctions and sight lines where the County Council deem it to be necessary for safety reasons where visibility is reduced. d. Further cuts may be carried out where additional funding is available. e. Areas of verge listed and marked as being of wildlife interest, will be specially maintained according to the needs of the individual verge. f. A full cut back of the county verges to the highway boundary will be completed every four 	

years on a rotating schedule.

2) Weed Control - street furniture, paved areas and kerbs/channels

Where herbicides are used for the treatment of weeds, weeds will only be treated using herbicides from the Health and Safety Executive's Pesticides Register of UK Authorised Products suitable for use on highways

3) Hedge Trimming

- a. Hedges which are adjacent to the road/footway and are the responsibility of the County Council will be trimmed once a year.
- b. Where the County Council determine that there are special requirements in visibility areas, cutting will be undertaken when required.

4) Trees

- a. Highway trees should only receive maintenance at County Council expense for reasons of health and safety, access and visibility on the highway or where they are causing damage to property. Tree maintenance work shall be undertaken in line with the recommendations of BS 3998: 2010 ('Tree work').
- b. Third parties may be given the opportunity to become involved in the provision of new trees on the Highway where appropriate.

5) Siding

- a. In rural areas only the minimum amount of siding (trimming of verges along the pavement) should be carried out on carriageways, e.g. when needed before surface dressing and the renewal of edge markings, since in most cases the traffic keeps the carriageway clear.
- b. On footways, only the minimum amount of siding should be carried out to preserve an adequate width of footway for all types of pedestrian traffic where this is considered necessary on an ad-hoc basis.

6) Third parties

- a. The Highway Authority may authorise third parties to carry out the above services or additional works to highway verges and vegetation at their own expense. E.g.
 - farmers in the county wishing to use suitable verges for haymaking;
 - individuals and organisations wishing to manage verges for wildlife or amenity purposes.
- b. Any areas planted by third parties acting under licence will be maintained by the licensee unless otherwise agreed with the County Council (refer to PS 8/6 Roadside Sponsorship)

Supporting Information

Well-managed Highway Infrastructure, 2016, UK Roads Liaison Group

Version control

H&T Committee - 22 March 1974 22.03.1974
H&T Committee - 22 October 1980 - Agenda Item 5. 23 28.10.1975

Date of last review:

H&T Committee - 16 December 1980 - Agenda Item 6. 2 16.12.1980 H&T Committee - 11 December 1984 - Agenda Item 7 11.12.1984 H&T Committee - 31 May 1989 - Agenda Item 18. 31.05.1989 H&T Committee - 25 March 1975 - Agenda Item 8. 25.03.1975 H&T Committee - 16 September 1992 - Agenda Item 9. 16.09.1992 H&T Committee - 19 October 1994 - Agenda Item 19. 19.10.1994 T&E Committee - 10 March 1998 - Agenda Item 6. 10.03.1998 Lead Member for Transport and Environment – 21.05.2018	
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Report to:	Lead Member for Transport and Environment
Date of meeting:	11 December 2023
By:	Director of Communities, Economy and Transport
Title:	Community Match Schemes for 2024/25
Purpose:	To consider expenditure for 2024/25 as contribution towards Community Match schemes

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Agree that £20,000 of match funding is allocated towards the Etchingam Community Match speed reduction scheme for detailed design work and construction in 2024/25;**
- (2) Agree that £11,500 of match funding is allocated towards the Icklesham Parish Council Community Match bus stop and accessibility improvement scheme for detailed design work and construction in 2024/25;**
- (3) Agree that £1,930 of match funding is allocated towards Pett Parish Council for the Community Match application for the installation of 13 bollards along a popular walking route;**
- (4) Delegate authority to the Director of Communities, Economy and Transport to approve the 50% match funding contribution for the schemes in recommendations 1 and 2, up to a maximum contribution of £60,000 per scheme once the design and construction costs are known; and**
- (5) Delegate authority to the Director of Communities, Economy and Transport to agree the terms and conditions of the grant funding agreement with Pett Parish Council for the £1,930 grant from the Community Match funding allocation towards the scheme as set out in recommendation 3.**

1 Background Information

1.1. The Community Match initiative was launched by the County Council in 2014. The initiative offers the opportunity for local communities in East Sussex (typically a Parish or Town Council or community group) to take forward schemes identified as a local priority, but not assessed to be of sufficient priority to be delivered using County Council funding alone through the Council's capital programme of local transport improvements.

1.2. The Community Match process begins with a feasibility study to assist parishes and communities in identifying possible solutions to locally identified traffic or transport issues and determining cost estimates. The feasibility study is undertaken by East Sussex Highways and is funded by the Parish or Town Council, residents' group or organisation promoting the scheme. Many potential schemes do not progress beyond the feasibility stage as it becomes clear that the scheme is not feasible or would be too expensive to deliver using parish funding, or there is no agreement among local residents and businesses about the scheme proposals.

1.3. If a Parish or Town Council or community group support the measures suggested in the feasibility appraisal, they can apply to the County Council for Community Match funds to take the scheme forward to detailed design and construction. The maximum financial input from the County Council is £60,000 per scheme, which needs to be matched by the Parish Council or community group. The feasibility appraisals are only able to give approximate scheme costs and more detailed scheme costs can be provided to applicants as more design work is undertaken. As part of the Community Match funding applications, the relevant County Councillors are asked whether they are supportive of the proposed Community Match schemes in their division.

1.4. The delivery of Community Match Schemes will help contribute towards the County Council priorities of making best use of resources now and for the future and keeping vulnerable people safe.

2 Supporting Information

Community Match Schemes for 2024/2025

2.1. A sum of £250,000 has been allocated from East Sussex County Council's (ESCC) 2024/25 Capital Programme for Local Transport Improvements to match-fund improvement schemes of local importance through the Community Match programme. Any in-year underspend will continue to be reallocated to fund additional community focused road safety interventions and schemes.

2.2. Although there have been many Community Match feasibility studies requested, only three applications have been received requesting funding to take schemes forward. It is important that projects have strong support from the local community and that they comply with relevant County Council policies.

2.3. A summary of the schemes, together with estimated total costs, community contribution and Community Match Fund contributions, is shown below. The community contribution will be at least 50% of the detailed design and construction costs for each scheme. The final costs will likely vary from the current estimate once the detailed design has been undertaken and the scheme fully costed. Therefore, the level of Community Match Fund contribution allocated to each project, with a maximum contribution of £60,000 per project, may change depending on the final cost. The County Councillor for each of the schemes has indicated their support.

Scheme	Total cost	Community contribution	ESCC Community Match Fund contribution
<p>Etchingham Parish Council – Introduction of two sections of 40mph speed limits along the A265.</p> <p>Speed limit reductions implemented between the eastern end of Etchingham and Hurst Green and between the western end of Etchingham and Burwash.</p> <p>The scheme would be delivered through the East Sussex Highways contract.</p>	circa £40,000	£20,000	£20,000
<p>Icklesham Parish Council – Scheme to improve a bus stop in Sea Road, Winchelsea.</p> <p>High access kerbing to be introduced to improve accessibility and aid passengers alighting the busses. New kerbing to be installed and a replacement to existing bus stop post and re-erection of existing flag, timetable and litter bin.</p> <p>The scheme would be delivered through the East Sussex Highways contract. Assets to be owned and maintained by ESCC.</p>	circa £23,000	£11,500	£11,500

Pett Parish Council – Introduction of 13 Passive bollards on a highways verge to improve accessibility and visibility along a popular walking route.	£3,860.00	£1,930.00	£1,930.00
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Risks

2.4 Communities will be recharged their share of the detailed design and construction work. In addition, for Community Match schemes there is a notable risk around delivering schemes that include speed limit or parking changes which require a Traffic Regulation Order (TRO), and the increase in costs that comes with delivering these types of schemes due to the additional resource and administration required. If formal objections to TROs are received and cannot be resolved by discussion with the objector, they must be considered by the Planning Committee. This process adds both time and cost to the scheme.

3 Conclusion and Reasons for Recommendations

3.1. The Community Match programme continues to provide the opportunity for Town or Parish councils, local resident groups and organisations to secure match funding to enable local priority schemes to be delivered which otherwise would not come forward using County Council funding alone through the capital programme of local transport improvements. From the £250,000 allocation for 2024/25, there is sufficient funding available to provide the community match funding required to deliver the schemes that have submitted applications.

3.2. Therefore, the Lead Member is recommended to allocate £20,000 of community match funding to the speed reduction scheme in Etchingam on the A265, £11,500 to the bus stop improvement scheme in Icklesham, and £1,930 for the installation of bollards in Pett Parish.

3.3. Delegation has been requested to pass authority to the Director of Communities, Economy and Transport who will progress schemes to the next stage, without the need to present at Lead Member again.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Victoria Rojanachotikul

Email: Victoria.rojanachotikul@eastsussex.gov.uk

LOCAL MEMBERS

Councillor Elanor Kirby-Green

Councillor Keith Glazier

BACKGROUND DOCUMENTS

Etchingam Feasibility Study

Icklesham Feasibility Study

Pett Parish Council Licence Agreement

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Report to:	Lead Member for Transport and Environment
Date of meeting:	11 December 2023
By:	Director of Communities, Economy and Transport
Title:	Changes to the Chargeable Waste Service at East Sussex County Council Household Waste Recycling Sites
Purpose:	To consider introduction of a free allowance to the chargeable waste scheme.

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Note the requirement to change the Chargeable Waste Scheme at Household Waste Recycling Sites;**
 - (2) Delegate authority to the Director of Communities, Economy and Transport to amend the current scheme, as outlined in paragraph 2.5 and Appendix 1 of this report, from 31 December 2023;**
 - (3) Agree to the recommended price increase for paid for non-household waste (beyond the expected free allowance) from 1 April 2024, as set out in paragraph 3.5 of this report; and**
 - (4) Delegate authority to the Director of Communities, Economy and Transport to make future changes, as required, to the amended scheme and policy and charges.**
-

1 Background Information

1.1. East Sussex County Council (ESCC) introduced the chargeable waste scheme at household waste recycling sites (HWRS) in October 2018. Charges apply to rubble, soil, plasterboard, tyres and asbestos. The Controlled Waste (England and Wales) Regulations 2012 (the 2012 Regulations) defines waste from “construction, improvement, repair, alteration or demolition works, including preparatory works” as industrial waste, irrespective of where it is produced. There is no requirement for ESCC to accept industrial waste free of charge.

1.2. Around half of councils charge for non-household waste. The charges partially cover the costs, and no profit is made by the scheme.

1.3. The network of 10 HWRS across East Sussex is an important service and is popular with residents. The sites receive around 1.6 million visits per year and handle approximately a quarter of the total waste that East Sussex residents produce. The sites recycle, compost, or reuse almost 60% of the materials that are delivered by residents. During the last financial year, the chargeable waste scheme took 18,000 transactions and saved over £520,000 on chargeable materials.

1.4. Without any form of chargeable waste scheme in place, the effect to the Authority would be up to £1.3m per year in additional costs. When the scheme was introduced, it had an impact on other waste types and additional savings were made as a result. Officers believe the scheme has reduced trade waste abuse at the sites. Removing the charging scheme would risk a return of this additional waste and a significant increase in costs to the service over and above the direct costs associated with chargeable waste.

2 Supporting Information

2.1. From 11 April to 4 July 2022, the Department for Environment, Food & Rural Affairs (Defra) consulted on charges for “do it yourself” (DIY) type waste at household waste recycling centres and issued a call for evidence on booking systems at household waste recycling centres.

2.2 Defra takes the view that small amounts of DIY waste generated by householders should be classified as household waste, allowing limited quantities to be disposed of free of charge.

2.3 In June 2023, Defra published a summary of responses and government response to the consultation, reiterating its position that small amounts of DIY waste generated by householders should be classified as household waste, allowing it to be disposed of free of charge. In order to implement its policy position, the government will amend the 2012 Regulations and this change will take effect from 31 December 2023. The 2012 Regulations enable ESCC to operate its chargeable waste scheme.

Change to legislation

2.4 The Statutory Instrument laid before Parliament on the 22 November 2023 will amend the 2012 Regulations from 31 December 2023 to restrict charging.

2.5 [Defra's consultation response](#) states the following:

“...that construction waste be classified as DIY waste when four criteria are met:”

- a) the waste is produced by householders whilst carrying out small-scale construction or demolition works at their home.
- b) the waste does not arise from activities that generate an income for the person who carried them out.

The third and fourth criteria below (from the Statutory Instrument) allude to government's stipulation for a 'free allowance':

- c) the amount of waste delivered to any waste disposal site in a single visit is either less than 100 litres and capable of being fitted into two 50 litre bags, or a single article of waste no larger than 2000mm x 750mm x 700mm in size (the approximate size of a bathtub or shower screen).
- d) the waste delivered to waste deposit sites does not exceed four single visits per household in any four-week period (to be administered in East Sussex as one visit per week).

2.6 These rules will allow local authorities to charge for 'DIY' material above and beyond the volumes as outlined in the third and fourth criteria ('c' and 'd' above). Monitoring and enforcing these limits present difficulties in terms of on-site administration of the scheme. Tonnage volumes and transactions will be monitored, and it is possible that further measures may need to be introduced in the future to effectively manage the amended charging scheme.

2.7 The government has provided a draft list of materials that can be charged for but only after the four criteria above are met and the free allowance applied. Whilst it includes rubble, soil, and plasterboard, it also includes additional materials that could be charged for which, currently, are free to dispose of at HWRS in East Sussex. Asbestos and tyres are still non-household waste and can be charged for in full under the existing scheme. At this point, ESCC is not intending to expand the list of materials it charges for within the current scheme.

Implementation of required changes and financial impact

2.8 Officers are currently preparing the required changes to ESCC's scheme.

2.9 The existing scheme works well with a very low level of resident complaints. As ESCC is operating a tried and tested service, Officers intend to adapt in a way that complies with the new regulations, but which keeps the scheme format as close to the existing scheme as possible.

2.10 ESCC will do this by adopting the framework as above in 2.5 which will allow for a two free 50 litre bag limit of rubble, soil, and plasterboard. Deposits that exceed the free allowance will continue to be charged for. ESCC will monitor the amended scheme to assess the impact on tonnage levels and disposal savings. Appendix 1 contains the draft updated Chargeable Waste Policy which will be finalised, subject to the new legislation coming into force, and approval by the Director of Communities, Economy and Transport.

2.11 The financial impact of adopting the required charging model, and the impact of charges being totally removed with no restrictions on deposits, were assessed. Both options have a significant impact on the annual waste disposal revenue budget of up to £0.829m and £1.336m respectively. It is strongly recommended that the current scheme is adapted in line with government requirements only, to minimise the annual impact up to the estimated £0.829m. The potential impact has been accounted for in future budget requirements.

Reviewing charges for non-household waste

2.12 On 26 June 2018 Cabinet resolved to delegate authority to the Director of Communities, Economy and Transport, in consultation with the Chief Finance Officer, to set appropriate charges to cover the disposal costs incurred by ESCC for non-household waste. These charges have remained unchanged since 2018. The current charges partially cover the cost of disposal of soil, hardcore, plasterboard, asbestos, and tyres. The table below illustrates current charges, the prices that would need to be charged to recover 100% of disposal costs and a recommended revised charging schedule that could be applied. These charges will only apply once the 'free allowance' has been used and are set at a level comparable to neighbouring authorities and in recognition of other financial pressures faced by residents.

	Current Charges	Charging Unit	Price required to recover estimated disposal costs	Proposed Charges
Plasterboard	£ 4.00	Bag / Sheet	£ 7.80	£ 6.00
Soil	£ 4.00	Bag	£ 7.80	£ 6.00
Hardcore	£ 4.00	Bag	£ 7.80	£ 6.00
Tyres	£ 2.00	Tyre	£ 2.50	£ 2.50
Asbestos	£ 6.00	Bag / Sheet	£ 7.40	£ 7.40

3 Conclusion and Reasons for Recommendations

3.1. The scheme has delivered significant savings for ESCC since it's commencement in 2018.

3.2. When Government's revised regulations come into force on 31 December 2023, ESCC's Chargeable Waste scheme will need to be amended for it to remain legally compliant.

3.3. The Lead Member is recommended to delegate authority to the Director of Communities, Economy and Transport to amend the current scheme, as outlined in section 2.5 and Appendix 1 from 31 December 2023.

3.4. The Lead Member is also recommended to delegate authority to the Director of Communities, Economy and Transport to make future changes, as required, to the amended scheme and policy and charges.

3.5. The Lead Member is recommended to agree to the recommended price increase for paid for non-household waste (beyond the expected free allowance), as set out below:

- £6 per bag of soil, hardcore,
- £6 per bag or sheet of plasterboard,
- £7.40 per sheet of asbestos (no free allowance for this waste type)
- £2.50 per tyre (no free allowance for this waste type)

The recommended price increase will be implemented 1 April 2024.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Anthony Pope

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Email: Anthony.pope@eastsussex.gov.uk

LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None

Lead Member for Transport and Environment, December 2023

Changes to the Chargeable Waste Service at East Sussex County Council Household Waste Recycling Sites

Appendix 1

Amended Chargeable Waste Policy to comply with expected new Government regulations.

<p>Draft new Chargeable Waste Policy</p> <p>Subject to a free disposal allowance, residents still have to pay to dispose of hardcore, soil, plasterboard, bonded asbestos and tyres at the household waste recycling sites. There is no free allowance for bonded asbestos and tyres. There is no charge to dispose of other types of waste accepted at our sites. Card payment only.</p>
<p>The free allowance delivered to any site in a single visit, in line with Government legislation, is</p> <ul style="list-style-type: none"> • Less than 100 litres and capable of being fitted into 2 x 50 litre bags of soil, hardcore or plasterboard Or • A single item no larger than 2000mm x 750mm x 700mm in size <p>Tyres and asbestos remain classed as non-household waste so there is no free allowance for these</p> <p>After the free allowance, charges apply – see below</p>
<p>Applying charges after the free allowance allows us to continue accepting these waste types at the recycling sites. The charges partially cover the cost of waste disposal, they are not to make profit.</p>
<p>Hardcore</p> <ul style="list-style-type: none"> • Free allowance of 2 x 50 litre bags. • A maximum of 4 visits per household in any 4-week period is permitted (one visit per week). • £6 per bag after free allowance. Card payment only. • Maximum bag size 50 litres (i.e. a standard rubble type sack) • Bags part filled will be rounded up to each full bag for calculating the free allowance and any charges due. For example, two half-filled bags will be classified as one bag. • For loose loads, an equivalent number of bags will be estimated by site staff. • After the free allowance of one bulky or fitted item no larger than 2,000mm by 750mm by 700mm, further bulky or fitted items will be charged at £6 per item. This is applicable to items like formed concrete and ceramic bathroom ware e.g., toilets and sinks. No free allowance is permitted if this has already been used via bagged deposits. • Includes (but is not limited to) stonework, sand, gravel, rock, clay, bricks, concrete blocks, paving slabs, tarmac, tiles, and ceramic bathroom fittings. • Accepted at all sites.
<p>Soil</p> <ul style="list-style-type: none"> • Free allowance of 2 x 50 litre bags • A maximum of 4 visits per household in any 4-week period is permitted (one visit per week). • £6 per bag after free allowance. Card payment only. • Maximum bag size 50 litres (i.e. a standard rubble type sack)

- Bags part filled will be rounded up to each full bag for calculating the free allowance and any charges due. For example, two half-filled bags will be classified as one bag.
- For loose loads, an equivalent number of bags will be estimated by site staff.
- Accepted at all sites.

Plasterboard

- Free allowance of 2 x 50 litre bags
- A maximum of 4 visits per household in any 4-week period is permitted (one visit per week).
- **£6 per bag or sheet after free allowance.** Card payment only.
- Maximum bag size 50 litres (i.e. a standard rubble type sack)
- Maximum sheet size 1800mm x 900mm
- Bags part filled will be rounded up to each full bag for calculating the free allowance and any charges due. For example, two half-filled bags will be classified as one bag. Similarly, part sheets will be rounded up to each full sheet.
- Includes plasterboard and plaster.
- Accepted at Crowborough, Eastbourne, Hastings, and Newhaven sites only.

Bonded Asbestos

- Asbestos remains classed as non-household waste so no free allowance is available
- **£7.40 per bag or sheet.** Card payment only.
- Maximum bag size 55cm x 85cm (i.e. a standard rubble type sack)
- Maximum sheet size 1800mm x 900mm (6 foot by 3 foot)
- Bags part filled will be rounded up to each full bag for charging purposes. For example, two half-filled bags will be charged as one bag. Similarly, part sheets will be rounded up to each full sheet. A resident arriving with just one part filled bag or one part sheet will be charged the minimum charge of £7.40.
- Only cement bonded asbestos is accepted. Asbestos tanks are not accepted.
- Limited to 6 bags or 4 sheets per calendar month, per household
- Accepted at Eastbourne, Hastings, Heathfield and Newhaven sites only
- Bonded asbestos brought to these sites must be double bagged and sealed, or wrapped in plastic and sealed.
- Staff will take a record of the resident's name, address and vehicle registration so that the amounts brought to the sites can be monitored to help prevent abuse of the policy and ensure Council Tax payers money is not used to dispose of any trade waste.
- See the Health & Safety Executive website for specialist advice when handling asbestos.
- Do not break asbestos up yourself – as this will release harmful fibres into the atmosphere. We strongly advise you contact a licenced asbestos removal contractor instead.

Tyres

- Tyres remain classed as non-household waste so no free allowance is available
- **£2.50 per tyre (or part tyre).** Card payment only.
- Limited to 4 tyres per calendar month, per household
- Motorised vehicle tyres are charged for (not bicycle tyres)
- Accepted at Eastbourne, Hastings, Lewes, Maresfield and Newhaven sites only.

The above waste types should not be mixed together.

Site staff's decision is final.

Anyone who does not pay the charges on site will be invoiced the disposal plus administration costs via Sussex Police's Operation Crackdown vehicle tracing scheme.

If you have large quantities of these types of waste, you can consider alternatives such as hiring a skip, buying a Hippo bag, or using a waste disposal company. Our sites are not designed to accept large quantities of these types of waste.

There will be no charges for residents to dispose of household wastes such as green garden waste, electricals, furniture, crockery, clay flowerpots, recycling and general waste.

The waste must be from your own home. Waste from traders/businesses is not accepted at any of our household waste recycling sites.

The waste can only be accepted at our sites if the work has been carried out/removed by the householder themselves.

Where residents use a contractor to do works at their property the contractor must arrange for the disposal of the waste either by arranging a skip hire or taking it to a licensed commercial waste facility (not a household waste recycling site). In the case of asbestos, contact the [Asbestos Removal Contractors Association](#) for details of contractors who can remove and dispose of all types of asbestos.

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