|  |  |
| --- | --- |
| Our ref: EIR 726,771 Your ref:  | NDD - Directorate Services Team Manager9th FloorThe Cube199 Wharfside StreetBirmingham B1 1RN 23 September 2015 |

Thank you for your request for information about the usage and cost of glyphosate.

Your request was received on 26 August 2015 and we are dealing with it under the Environmental Information Regulations (EIR) 2004. This is because the information requested concerns measures and activities affecting or likely to affect elements of the environment or affect factors such as noise, pollution discharges and other releases into the environment.

I am writing to advise that we do hold information that is relevant to your request but regret to inform you that we are unable to provide you with a full answer to your questions. Providing a full answer to your request would involve a considerable diversion of resources and therefore falls under Regulation 12 (4) (b) of the EIRs as manifestly unreasonable.

In your email you requested the following information:

1. *The total number of sprayings - or other applications - for the purposes of weed control (or similar) authorised / carried out in public areas - eg kerbs, verges, roads - involving the use of products containing the herbicide glyphosate between January 2014 and the present day by Highways England (or persons contracted by Highways England).*
2. *The total amount of glyphosate used - quantities sprayed (e.g. 100 litres) - in the above period by Highways England (or persons contracted by Highways England).
Note: if exact quantities are not available, please estimate based on records kept*
3. *The total cost of glyphosate products purchased by Highways England in the above period.*
4. *The total number of sprayings - or other applications - for the purposes of weed control (or similar) authorised / carried out in public areas - eg kerbs, verges, roads - involving the use of products containing the herbicide glyphosate each year from 2005 to the present day by Highways England (or persons contracted by Highways England).*
5. *The total amount of glyphosate used - quantities sprayed (e.g. 100 litres) - for the purposes of weed control (or similar) in public areas - eg kerbs, verges, roads - each year between 2005 and the present day by Highways England (or persons contracted by Highways England).*

The contracts for all of our service providers, in each of the 13 areas of our network (<https://www.gov.uk/government/publications/roads-managed-by-the-highways-agency> require them to comply with all legislation this includes responding to complaints from adjoining landowners about controlling noxious weeds (Weeds Act 1959) or other plants such as those listed in the Wildlife and Countryside Act 1981 Schedule 9: <http://www.legislation.gov.uk/ukpga/1981/69/schedule/9>

A large number of our area teams have reported that it would take the service providers and/or their sub-contractors between 24 hours and several months to retrieve the information that you request. As an indication of reasonableness, the specified limit for a Freedom of Information request is the equivalent of 18 hours work.

To explain further, one of our service providers has estimated that it would take between 100 and 500 hours to review the raw data from 2005 to 2015 relating to the amount, type and number of glyphosate applications on their part of our network. They have reported there would be approximately 2200+ records to cover the 11 years of data that you have requested. It would be a significant task to look through the records, as they are held in a .pdf format and not on a single spreadsheet which could be interrogated or filtered etc. This exercise would require a manual filter through all their cyclic maintenance record sheets. Additionally, although they predominantly use glyphosate, they also use other herbicides, so each record would have to be filtered, to identify the glyphosate uses. They have however, estimated that there would be approximately 100 spraying days per year. This would total approximately 200 spraying operations (one north and one south) per year. Therefore, over 11 years, this would equate to 2200 spraying days, hence the reported 2200 record sheets to recover and report on.

Highways England recognises the public interest in this issue and also our obligation towards transparency in environmental matters. As such, we would like to provide the following examples, provided by a few of our contractors.

 Taking each of your questions in turn:

1. *The total number of sprayings - or other applications - for the purposes of weed control (or similar) authorised / carried out in public areas - eg kerbs, verges, roads - involving the use of products containing the herbicide glyphosate between January 2014 and the present day by Highways England (or persons contracted by Highways England).*

A total figure for Highways England is not available but we can provide some examples from areas teams where figures are available:

Applications of glyphosate in 2014 to date:

**Area 2** (Somerset, Avon, Wilts & Gloucs):

* 2014 - 4 applications
* 2015 - 2 applications

**Areas 6 & 8** (Cambridgeshire, Suffolk, Peterborough, Norfolk, Bedfordshire, Hertfordshire & part of Suffolk):

* 2014 - 2 applications
* 2015 - 1 application
1. *The total amount of glyphosate used - quantities sprayed (e.g. 100 litres) - in the above period by Highways England (or persons contracted by Highways England).
Note: if exact quantities are not available, please estimate based on records kept*

A total figure for Highways England is not available but we can provide an example from an area team where figures are available. Our area 3 team, who are responsible for maintenance of our road network in Hants, Berks, Surrey, Oxon, Dorset, Wilts and part of Bucks, have been able to report the following information:

Glyphosate has been used on the following works:

* Clearance works for stump treatment on schemes from January 2014 to March 2014 = 10 litres.
* Total spray of network roads (barriers, central reserve etc) from June 2014 to July 2014 = 260 litres.
* Injurious weeds in August 2014 = 10 Litres.
* Clearance works and maintenance cut back works from November 2014 to April 2015 = 20 litres.
* Injurious weeds from May 2015 to August 2015 = 15 litres.

The total amount of Glyphosate used in area 3 between January 2014 and the present is therefore 315 litres.

In 2012 we provided a report to the Chemicals Regulation Directorate that stated our service providers’ sub-contractors would use approximately 4680 litres of glyphosate for that year. We would expect that this figure has not significantly changed.

1. *The total cost of glyphosate products purchased by Highways England in the above period.*

This information is not held by Highways England as some contractors purchase their own weed killer whereas several areas use weed killer purchased and sprayed by sub-contractors. The information you have requested therefore falls under Regulation 12(4)(a) of the Regulations.

1. *The total number of sprayings - or other applications - for the purposes of weed control (or similar) authorised / carried out in public areas - eg kerbs, verges, roads - involving the use of products containing the herbicide glyphosate each year from 2005 to the present day by Highways England (or persons contracted by Highways England).*

*&*

1. *The total amount of glyphosate used - quantities sprayed (e.g. 100 litres) - for the purposes of weed control (or similar) in public areas - eg kerbs, verges, roads - each year between 2005 and the present day by Highways England (or persons contracted by Highways England).*

A total figure for the company is not available but I can offer an estimate from one of our Design Build Finance and Operate (DBFO) contractors who maintain the M1-A1 route.

The M1-A1 Link Road is a 30km strategic motorway link between the M1 and M62 motorways to the south of Leeds and the A1 trunk road south of Wetherby. The project commenced in March 1996 as part of the Government's Private Finance Initiative and runs until 2026. They have provided the following information:

**Applications of herbicide per year around tree and shrub planting spots, and hedgerows:**

* From 2005 they estimate that they have made up to 4 applications of herbicide per year around tree and shrub planting spots, and hedgerows, with actual quantities applied decreasing latterly as canopy closure on shrub beds has increased.
* Total applications are estimated at around 50 applications.
* They estimate that the total amount used in this work since January 2014 is approximately 60 litres.

**Applications of herbicide to hard surfaces – central reservations:**

* Herbicide is usually applied twice a year to central reservations, but when residual herbicides were still permitted, they were able to spray only once with a glyphosate/residual mix.
* Therefore between 2005 to present there would have been approximately 14 applications.
* This would equate to 1 so far in 2015, 2 per year from 2014 back to 2010, and one per year prior to that.
* We use approximately 140 litres of herbicide per application.
* The estimated total applied therefore is approximately 2000 litres.

**Applications of herbicide to noxious weed:**

* Generally there has been one application per year since beginning in 2010.
* Approximately 5 to10 litres per application.
* Since January 2014 they have used approximately 15 litres.

Please note that the above information applies to the use of glyphosate only and is therefore very specific to that product. In addition this information is an estimate of usage and not an actual record. To accurately assess and confirm the above information would take a number of days.

If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at:

<http://www.highways.gov.uk/foicomplaints>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

If you have any queries about this email, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

Email: ndd\_c\_dst@highways.gsi.gov.uk