



ENGLISH HERITAGE

Landscape Advice Note: Use of Pesticides



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This Landscape Advice Note looks at pesticide use and the regulations which apply to their use in England.

INTRODUCTION

Under the Food and Environment Protection Act 1985, pesticides are defined as 'chemical substances and certain micro-organisms prepared or used to destroy pests'. The term therefore encompasses a number of products including (amongst others) herbicides, fungicides, insecticides and masonry biocides.

WHEN TO USE PESTICIDES

Growing concern for the environment has long made the former practice of automatic use of pesticides in any situation obsolete and untenable. Before even considering to use pesticides, it is important to define what the actual problem is and what options there are for dealing with it. Rather than the old practice of 'spray first and ask questions later' there should be a presumption against the use of pesticides unless there are no other viable options. Pesticide use should only be practised where there is a definite and specific problem which such use can effectively address.

There are a number of justifiable reasons for pesticide use, particularly in weed control. Some plants cannot be successfully controlled by other means, such as the damaging and invasive species Japanese knotweed *Fallopia japonica*. In some situations alternative control measures such as rolling Bracken *Pteridium aquilinum* may not be viable in areas with fragile historic fabric above or below ground. While in some situations alternative control measures are not economic.

TYPES OF HERBICIDE

Herbicides come in numerous different formulations, but most of these fit into two main categories, selective and non-selective, each of which can be further subdivided into residual or non-residual and contact or translocated.

- Selective or non-selective

Unfortunately this implies rather more control than is actually achieved in practice. Non-selective herbicides as the name implies, will kill any plant material, whereas selective herbicides generally only control dicotyledons (broad leaved plants) without harming monocotyledons (grasses). It is not currently possible to have a herbicide which is so selective it will control, for example, valerian (*Centranthus ruber*) without harming anything else.

- Residual or non-residual

Residual herbicides remain active and in the soil for prolonged periods and may affect plants in the area sprayed for a year (or occasionally longer). Non-residual herbicides are broken down into harmless substances on contact with the soil and become inactive almost immediately.

- Contact or Translocated

Contact herbicides only kill the plant tissue onto which they are sprayed or come into contact with. Translocated herbicides are absorbed into the plant and move with the sap system before becoming fully active and so spraying of a few leaves could result in the death of the whole plant. This is particularly important to consider when there is any chance of drift onto non-targeted plants.

If chemical control is needed it should always be the least environmentally damaging chemical which is used.

PESTICIDES AND THE LAW

There are two main areas of legislation concerning the use of pesticides, the Control of Pesticides Regulations 1986 (introduced under the Food and Environment Protection Act 1985) and the Control of Substances Hazardous to Health Regulations 2002 (introduced under the Health and Safety at Work Act 1974).

The Control of Pesticides Regulations 1986 (CoPR) aim to protect human beings, creatures and plants, safeguard the environment, ensure safe, effective and humane methods of controlling pests and make pesticide information available to the public. Of the numerous controls introduced by these regulations, three are of particular relevance to organisations using pesticides (as opposed to producing or supplying them).

Only approved products may be sold, supplied, stored, advertised or used. Approval is by the Pesticides Safety Directorate (part of the Health and Safety Executive). Products are either approved as 'amateur' which people can use in their gardens or 'professional' which are for use in public/commercial situations or by professionals in any (appropriate) area. 'Professional' products cannot be sold to or used by amateurs. 'Amateur' products are not necessarily approved for use in public/commercial situations, therefore only 'professional' products should be used in these situations.

Users of pesticides must comply with the Conditions of Approval relating to use.

A recognised Certificate of Competence is required by all contractors and any person born after 31st December 1964 applying approved pesticides (unless

working under the direct and personal supervision of a certificate holder). This rule does not apply to private individuals using amateur products on their own property. The only recognised certificate of competence is that issued by the National Proficiency Test Council. It is English Heritage's Health and Safety policy that any of its directly employed staff required to use pesticides should have a Certificate of Competence.

The Control of Substances Hazardous to Health Regulations 1994 (COSHH) require that the risks associated with the use of any substance hazardous to health must be assessed before it is used and the appropriate measures be taken to control that risk.

In order of preference these measures should be:

- Substitution with a less hazardous chemical or product
- Technical or engineering controls (for example, the use of controlled handling systems)
- Operational controls (for example, operators located in cabs fitted with air filtration systems)
- Use of personal protective equipment, which includes protective clothing

To assist with COSHH assessments, manufacturers will supply product safety data sheets to customers and potential customers.

The COSHH Regulations also require that consideration be given to:

- The necessity of using pesticides at all in a given situation
- The label precautions be used as a minimum
- Safety equipment and clothing is properly maintained and that staff are instructed and trained in its use
- Where necessary exposure of workers is monitored and health checks carried out
- Adequate records of all operations involving pesticide application must be made and retained for at least three years

There are also additional restrictions placed on the use of pesticides in, or near, watercourses. Only certain approved products may be used and the Environment Agency has to approve such use in each case. This has become increasingly important as the Water Framework Directive (2000) has made reduced levels of pesticide in water an important part of water management strategies. It is important to be particularly careful to ensure that any pesticide use does not pollute watercourses as highly sophisticated equipment is now available which can trace the source of even minute quantities of water pollution.

The storage of pesticides as well as the disposal of empty containers and unused chemical (both concentrated and diluted) is also regulated and details of the requirements can be found on the *Pesticides - Code of Practice*.

MANAGEMENT OF PESTICIDE USE

The decision on whether to use pesticides in any given situation and which products to use needs to be carefully considered. The *Pesticides – Code of Practice* published by Defra makes it clear that people who make policy and operational decisions about applying pesticides, who write specifications for pesticide use and who give advice on the subject should have the necessary skills, knowledge and experience. It also supports the need for Continuing Professional Development (CPD) for those involved in the use of pesticides.

The most effective way to demonstrate competence and CPD is:

- For operatives (who are required by law to have a Certificate of Competence) – membership of the National Register of Sprayer Operators (NRoSO)
- For managers/advisors – British Agrochemicals Standards Inspection Scheme (BASIS) Certificate in Crop Protection and membership of the BASIS Professional Register

FURTHER INFORMATION

BCPC *The U.K. Pesticides Guide* Bracknell: British Crop Protection Council

Control of Pesticides Regulations
www.hse.gov.uk/biocides/copr/

Defra 2006 *Pesticides – Code of Practice for using plant protection products* London: Defra
www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/C/Code_of_Practice_for_using_Plant_Protection_Products_-_Complete20Code.pdf

Health and Safety Executive, 2012. *Working with substances hazardous to health: A brief guide to COSHH*. Health and Safety Executive
www.hse.gov.uk/pubns/indgl36.htm

The Plant Protection Products (Sustainable Use) Regulations 2012
www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/P/Plant_Protection_Products_%28Sustainable_Use%29_Regulations_2012.pdf

Water Framework Directive 2000
ec.europa.eu/environment/water/water-framework/index_en.html

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