



Ashtrees Ltd

Vegetation Management, Habitation Creation

Japanese Knotweed Report & Management Plan

For

Barnsley Premier Leisure

At

The Metrodome Complex, Barnsley

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Introduction

Japanese knotweed (*Fallopia japonica*) is a non-native invasive species of plant. Since it was introduced into the UK as an ornamental garden plant in the mid-nineteenth century it has spread across the UK, particularly along watercourses, transport routes and infested waste areas.

The plant can grow up three metres in one growing season, usually April to September. The stems are similar to bamboo and form dense thickets that persist when dead, long in to winter. The plant has small white flowers that bloom in late summer and produce small triangular seeds that are dark brown in colour. The extensive underground rhizomes produce the new shoots the following spring, this is the main reason why Japanese Knotweed spreads, and as such, any soil that is contaminated with its rhizomes must be disposed of appropriately and is an offence under the Wildlife and Countryside Act 1981 to not to do so.



Figure 1. Japanese Knotweed growing on another site.

Summary

Ashtrees Ltd has been asked by Lee Brown of Barnsley Premier Leisure to investigate possible Japanese Knotweed growing at The Metrodome Complex, Barnsley. Japanese Knotweed is suspected to be growing on the site but its whereabouts and extent are unknown.

One area where the Japanese Knotweed is suspected to be growing may be near an area that is to be developed.

The objectives of this report are to:

- Confirm the baseline location and extent of the Japanese Knotweed
- Set out the responsibilities of the property owner to manage Japanese Knotweed
- Present a means by which the Japanese Knotweed will be managed over 5 years

This report has been prepared with due care and attention and in accordance with industry best practice and guidance. The conclusion presented in this report represents our professional judgement based on the information and data either provided to us or available at the time of the investigation.

A Working Method Statement for the control of this invasive weed is presented here, and includes the control of the plants in-situ by treatment with an appropriate herbicide over a five-year period. This will be included within an overall Management Plan for Japanese Knotweed, to be produced prior to control measures being implemented.

Whilst every effort has been made to access and assess the site as thoroughly as possible, Ashtrees Ltd cannot guarantee that the full extent of the Japanese Knotweed has been identified any further than the boundary of the Metrodome Leisure Complex.

Ashtrees Ltd are not buildings inspectors or structural engineers, if further information on potential damage to drains, foundations or the fabric of the building is required, a suitably qualified surveyor should be sourced for this purpose.

Legal Context

Japanese Knotweed is listed on Schedule 9, Section 14(2) of the **Wildlife & Countryside Act (1981)**. This makes it an offence to actively plant or otherwise cause the species to grow in the wild.

Section 23 of the Infrastructure Act 2015 amended the **Wildlife and Countryside Act 1981** by inserting a new Schedule 9A to introduce a statutory regime of species control agreements and orders. This schedule ensures that, in appropriate circumstances, landowners take action on invasive non-native species and formerly resident native species, or permit others to enter the land and carry out those operations, to prevent their establishment and spread.

The environmental authorities with the powers to make species control agreements or orders in England are the Secretary of State, Natural England, the Environment Agency and the Forestry Commissioners

The **Environmental Protection Act 1990 (EPA 1990)** contains a number of legal provisions concerning “controlled waste”, which is set out in Part II. Any Japanese knotweed contaminated soil or plant material that you discard, intend to discard or are required to discard is likely to be classified as controlled waste. The most relevant provisions are in: section 33 (1a) and (1b) which create offences to do with the deposit, treating, keeping or disposing of controlled waste without a licence. Exemptions from licensing are available in some circumstances, and are set out in Schedule 3 to the Waste Management Licensing Regulations 1994 as amended (the WMLR 1994) s.33 (1c) which makes it an offence to keep, treat or dispose of controlled waste in a manner likely to cause pollution of the environment or harm to human health. Section 34 places duties on any person who imports, produces, carries, keeps, treats or disposes of controlled waste. Waste must be handled responsibly and in accordance with the law at all stages between its production and final recovery or disposal. Waste must be transferred to an authorised person, in other words a person who is either a registered carrier or exempted from registration by the **Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991**. A waste transfer note must be completed and signed giving a written description of the waste, which is sufficient to enable the receivers of the waste to handle it in accordance with their own duty of care. The provisions concerning waste transfer notes are set out in the **Environmental Protection (Duty of Care) Regulations 1991** (as amended). Failure to comply with these provisions is an offence.

The **Hazardous Waste Regulations 2005 (HWR 2005)** contain provisions about the handling and movement of hazardous waste. Consignment notes must be completed when any hazardous waste is transferred, which include details about the hazardous properties and any special handling requirements. If a consignment note is completed, a waste transfer note is not necessary. Untreated Japanese knotweed is not classed as hazardous waste, but material-containing knotweed that has been treated with certain herbicides, may be classified as hazardous waste.

The Control of Pesticides Regulations 1986 require any person who uses a pesticide to take all reasonable precautions to protect the health of human beings, creatures and plants, safeguard the environment and in particular avoid the pollution of water.

Assessment Methodology

The site as indicated in appendix 1 was surveyed on the 26th of September 2018 for evidence of Japanese Knotweed. Results of the 2018 survey can be found on the plan. Follow-up monitoring of the site for new evidence of infestation will, however, take place as a precaution in 2019.

Results of site survey

Evidence of Japanese Knotweed was found in only 2 areas within the boundary of the site.

Area 1.

Small but well-established stems were found to be growing in the shrub areas west of the roundabout. The stems are sparsely spread through an area of approximately 40 square metres. Dumping of green arisings from the sites landscape maintenance is abundant in this area. Grid reference SE 35064 06602 & SE 35072 06586.

Area 2.

Well-established stems were found near the informal garden area adjacent to car park 3 near the northern perimeter. Some of the stems have been cut down others were newly emerged. Grid reference SE 35221 06699

Areas of Japanese Knotweed were observed outside the boundary at grid references: SE 35245 06658, SE 35245 06621, SE 35243 06594. These have been indicated on the plan enclosed.

Conclusion

Japanese Knotweed has been actively growing at the above address for some time. It would appear that the plants in plot 1 have been unnoticed and may have spread due to the dumping of site arisings.

The Japanese Knotweed in plot 2 may have been on site well before the building of the complex as Japanese Knotweed can be seen growing within close proximity outside the demise of the site. Plot 2 does appear to be spreading due to the cutting down of the stems.

Although Japanese Knotweed is present within the boundary of the property, it is more than 7 metres from a habitable space, conservatory and/or garage and no damage to any outbuildings, associated structures, paths or boundary is visible. The risks associated with the plot are low. To further reduce any risks, a Japanese Knotweed Management Plan will be put in place along with a further course of herbicide treatments.

Working Method Statement & Management Plan

Summary

- A Japanese Knotweed Management Plan will be put in place for a period of 5 years.
- Monitoring will be undertaken until 2022 for evidence of any new infestation after the initial herbicide treatment and any further regrowth will be treated at the appropriate time of year.
- Japanese Knotweed will be treated in-situ by an application with an approved herbicide to reduce the risk of site contamination.
- Japanese Knotweed should be treated in Summer 2018.
- The plot 2 should be fenced off to prevent any disturbance to the growth.
- Barnsley Premier Leisure and Ashtrees Ltd will agree the level of control achieved in 2022 and any future treatment schedule required.
- Arisings from the landscape maintenance should be removed off site and not dumped within the shrub areas. This will stop damage to the existing Japanese Knotweed and prevent its spread further.

Japanese Knotweed Management Plan

Choice of Treatment

Of the methods for the control of Japanese Knotweed, in-situ treatment is considered the most appropriate in this case. The Environment Agency recommend that unless an area of Japanese Knotweed is likely to have a direct impact on a development, it should be controlled in its original location with a herbicide. The location of the Japanese Knotweed was found at plot 1 is not due for any development work. It is therefore concluded that the safest form of control will be via in-situ treatment. In this way, no operative will need to handle the plant waste, and no movement of plant or soil material will threaten contamination of other parts of the site. As Japanese Knotweed rhizomes can remain in the soil for several years, a long-term strategy involving treatment with herbicide will be required, over a three-year period. More than one application is often necessary in any one year and follow-up treatment will be required to kill new shoots in subsequent years. If re-growth occurs, treatment will continue on an annual basis until it is eradicated. Any plant that is large enough will be injected with Glyphosate, the active ingredient found in 'Roundup'. All plants that are not suitable for injection will have a folia application of the chemical. The person who will be undertaking the treatment will hold an NPTC certificate of competence for herbicide

If the area within 7 metres at plot 2 were to be developed, then a different approach would have to be taken. An application of herbicide would occur but may also involve the removal off site to a waste disposal facility of any soil within 7 metres of the plot and the installation of a geo textile membrane to prevent any damage to the development.

Schedule Of Works

The ideal time for foliage treating Japanese Knotweed is July ~ October.

The first applications of herbicide will start in 2018, a repeat visit will occur 4 weeks after the initial treatment to assess if any further applications are required that season.

Timing of treatments

2018: July to October – Apply chemical treatment.

2018: Dec 2017 to March 2018 - Visit to cut dead winter stems if required.

2019: July to August- Apply chemical treatment and inspect.

2020: July to August – Visit to monitor and treat any knotweed re-growth

2021: July to August – Visit to monitor and treat any knotweed re-growth

2022: July to August – Visit to monitor and treat any knotweed re-growth

Exclusion Zones

Japanese Knotweed (7m)

For Japanese Knotweed the polluted zone extends to 7m from the periphery of the plants due to the extent to which rhizomes can encroach from the parent plant. Japanese Knotweed within the site should either be fenced off or access limited to the infected areas. Soil from within these areas must not be transferred to other areas of the site, as this soil is most likely to contain viable plant material.

General site rules to be applied when working near to Japanese Knotweed

- **Do not remove soil within 7 metres of the plant**
- Use of tracked machinery should be not be used in areas polluted with Japanese Knotweed.
- NEVER use a strimmer, mower or chipper on Japanese Knotweed.
- After treatment, allow stems to die back naturally.
- No Japanese Knotweed should be placed in recycling bins.

Training

Everyone on the site should be made aware of the environmental risks associated with Japanese Knotweed in order to help limit accidental spread.

Appendix 1 Site Plan: Location of Japanese Knotweed within site boundary.



Areas Of Japanese Knotweed 

References

Centre for Ecology & Hydrology (2004) Information Sheet 5: Japanese Knotweed. CAPM, Wallingford.

Environment Agency (2006) The knotweed code of practice. Managing Japanese Knotweed on development sites. (Version 3 Amended 2013.)

RICS (2012) Royal Institution of Chartered Surveyors ~ Japanese Knotweed & Residential Property.

Useful contacts

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