

TOP PARK, BURY

INVASIVE NON-NATIVE SPECIES (INNS) METHOD STATEMENT

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1 INTRODUCTION

Steve Wells Associates has asked Weddles to prepare an Invasive Non-Native Species (INNS) Removal Method Statement to support the construction of a 3G pitch, an extension of an existing pavilion and car parking off Bolton Road West, Bury.

A Preliminary Ecological Appraisal (PEA) was undertaken by Weddles (September 2023) that reported the presence of Himalayan Balsam (*Impatiens glandulifera*) around the perimeter of the existing playing field to the north-east and north-west of the development. Himalayan Balsam is a Schedule 9 invasive species. Under the provisions made within Schedule 9 of the Wildlife and Countryside Act 1981, it is an offence to plant or cause Himalayan balsam to grow in the wild.

The application (reference 70200) for the development of the site has been previously granted planning permission in January 2024, subject to planning conditions.

Condition 11 states:

Prior to any earthworks a biosecurity management strategy for Himalayan Balsam should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy

This statement outlines the relevant legislation regarding disturbance or removal of Schedule 9 invasive species, and provides the necessary procedures, timings and mitigation measures required to eradicate and avoid the spread of invasive species found on the site.

This document is proposed to be submitted for discharge of condition 11 to allow the eradication as part of the proposed development.

This method statement has been prepared by Imogen Glover and checked by Christopher Braine, Director of Weddles, CMLI BAHons MCIHort MLA.

2 BACKGROUND

2.1 The Site

The site is part of a larger sports field which extends to the south-east. Access to the site is from Bolton Rd West which runs along the eastern edge of the site, and which leads into a carpark.

Proposal is for a new 3G pitch, the extension of an existing pavilion, the extension of existing car parking, and access improvements (Ref Masterplan 205-087-1005).

2.2 Location of INNS Onsite

Himalayan Balsam was present in one continuous stand to the north-west and northern areas of the site (totaling approx. 0.45ha).

A map detailing the locations of this species has been provided within **Appendix D**. This map is not necessarily exhaustive of all stands and as such, care should be taken to remain vigilant for this species across the entirety of the site.

All onsite personnel dealing with vegetation removal should be made aware of the characteristics of these plant species and should be able to identify the plant confidently. Visual identification sheets are provided at **Appendix B**.

2.3 Legislation and Policy

Himalayan Balsam (*Impatiens glandulifera*) is listed under Schedule 9 of the Wildlife and Countryside Act 1981. It is therefore an offence to distribute or allow the spread of this species into the wild.

Additionally, if these cannot be dealt with onsite, they must be disposed of in licensed landfill as controlled waste and any material treated with herbicides must also be handled as hazardous waste.

A full overview of the legislation regarding this species is contained with **Appendix A** of this report.

3 METHODOLOGY AND MITIGATION MEASURES

The primary objective is to eradicate invasive species from the development site prior to any other works being carried out. Should any development works need to occur within the fenced off area prior to completion of the full eradication process, any soil and plant material from this area should be considered contaminated and either placed beneath hardstanding or removed to an appropriately licensed waste management facility as detailed in section 3.1 of this document.

3.1 Preventing Future Spread

1. To avoid contamination around the site, operatives with the potential to work within the vicinity of the invasive species should receive training in Himalayan Balsam identification and best practice procedures for avoidance of spreading the species to other areas of the site. Refer to **Appendix B** for identification guidance and best handling.
2. The infected area should be fenced off with an exclusion fence set 7 meters from the outermost stand and applicable signage should be installed to prevent anyone accessing that area of the site. Refer to **Appendix C** for example of signage. Refer to **Appendix D** for proposed fencing area. If access is required, this should be from a single entrance point where wash down facilities are provided. Access should only be given to necessary personnel.
3. Piles of contaminated soil and vegetative material should be clearly marked and isolated within the fenced off area. All soil within the 7-meter perimeter fence is classed as contaminated soil due to potential seed dispersal.
4. Reusing treated soils onsite is possible without the need for a waste management licence. However, all reused soil from the infested area (7m from the nearest viable stand) should be placed beneath hardstanding where possible. Any surplus material should be removed to an appropriately licensed waste management facility.

3.2 Treatment

Works to control invasive species should be undertaken by suitably trained and qualified operatives holding the appropriate certification and licences where applicable. When using herbicide, application works must be undertaken by an operative certified to use and apply the relevant herbicides.

As there is the possibility that the invasive species could be disturbed by contractors throughout the construction period, ideally invasive species should be eradicated / removed prior to start of works in the affected areas.

To reduce risk of seed dispersal, removal of the species should be carried out between April-June where identification will be possible, but no seeds are yet set.

Removal and eradication of Himalayan Balsam can be controlled through two methods of either mechanical control or chemical control depending on size of stand and accessibility.

3.2.1 Mechanical Control

For large stands of Himalayan Balsam the infestation can be controlled through mowing or strimming methods. To prevent the chances of vigorous regrowth, plant stems should be cut below the first node close to ground level. Subsequent cutting should be repeated annually post development until no more growth occurs.

Smaller infestations can be controlled by hand pulling from the base of the plant to remove the shallow roots. The plants must be pulled from the base of the plant to ensure the complete removal of the whole root.

All plant removal should be left to dry and decompose in a controlled area of the site away from proposed development and be placed on an impermeable membrane. For disposal guidance refer to section 3.1 of the document.

Mechanical control is most effective between April and early May before development and visibility of seed pods to reduce chances of spread.

3.2.2 Chemical Control

Where mechanical control is not possible due to access or scale of removal, the remaining infestation should be sprayed with a Glyphosate-based herbicide. Spraying should be undertaken by an appropriately trained and licensed contractor and should be carried out during periods of active growth in April and early May.

Monitoring after treatment should be carried out in July/August and September/October and subsequent treatment /monitoring is required annually for 3 years as herbicide application will not kill seeds.

Should any treatment / eradication work be programmed to start during the breeding bird season (March-September inclusive) the Ecological Clerk of Works (ECOW) will also check all nearby vegetation for breeding birds prior to work starting.

3.3 Monitoring and Responsibility

If the outlined methodology is used to control disturbance and spread of Himalayan Balsam, then contamination within the site will be prevented.

If Himalayan Balsam is to be disposed of off-site then all plant material and associated soil shall be by an appropriately licenced waste handler and / or waste facility, which will ensure that contamination off-site is prevented.

It is important that regular annual monitoring be undertaken to assess any regrowth and prevent the spread of any invasive species for at least four full growth seasons after the last time the removed plant produced seeds. If the site is sold, responsibility for future monitoring and treatment of invasive species will also be passed on to the new site owners or the management company appointed to maintain the site. Any regrowth of invasive species will be further assessed, and an appropriate method of treatment carried out.

4 CONCLUSION

The PEA undertaken by Weddles (ref. September 2023) recorded a stand of invasive Himalayan Balsam (*Impatiens glandulifera*), present on the site to the north of the proposed development.

The species is listed under Schedule 9 of the Wildlife and Countryside Act 1981 and as such, it is an offence to plant or otherwise cause this species to grow in the wild. Without appropriate mitigation and handling, development of the site is likely to result in the disturbance and dispersal of this species on and off site, resulting in a breach of legislation.

Initial treatment prior to the commencement of any other part of the development is proposed and information on preventing spread and treatment options are detailed within Sections 3.1, 3.2 and 3.3 of this report.

APPENDIX A - LEGISLATION REGARDING SCHEDULE 9 SPECIES

The following legislation relates to Schedule 9 Invasive Species inclusive of A stand of Himalayan Balsam (*Impatiens glandulifera*).

- **Wildlife & Countryside Act 1981**
Section 14(2) of the Wildlife and Countryside Act 1981 (WCA 1981) states that "...if any person plants or otherwise causes to grow in the wild any plant which is included in Part II of Schedule 9, he shall be guilty of an offence." *Impatiens glandulifera* is listed in Schedule 9. Anyone convicted of an offence under Section 14 of the WCA 1981 may face a fine of £5,000 and/or 6 months imprisonment, or 2 years and/or an unlimited fine on indictment.
- **Control of Pesticides Regulations 1986**
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 avoid the pollution of water.
- **The Environmental Protection Act 1990 (EPA, 1990)**
The EPA 1990 stipulates a number of legal provisions concerning "controlled waste". Any soil or plant material contaminated with Himalayan Balsam that is discarded during onsite works is likely to be classified as controlled waste. Section 33 (1) (a) and (1) (b) assert offences regarding the deposit, treatment, storage or disposal of controlled waste without a permit. Section 33 (1) (c) asserts that it is 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 stipulates the responsibility of the individual(s) handling the controlled waste to do so responsibly in accordance with the law at all stages between its production and final recovery or disposal.
- **Waste Regulations 2011**
Waste must be transferred to an authorised person – a person who is either a registered carrier or exempted from registration by the Waste Regulations. A waste transfer note must be completed and signed giving a written description of the waste in accordance with regulation 35 of the Waste Regulations. Failure to comply with these provisions is an offence.
- **Hazardous Waste (England and Wales) Regulations 2005 (HWR 2005)**
The 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. Though untreated Himalayan Balsam is not classed as hazardous waste, material that has been treated with herbicides may be classified as hazardous waste.
- **Environmental Permitting (England and Wales) Regulations 2010 (EPR 2010)**
The EPR 2010 includes reference to the 'Exercise of relevant functions' in Schedule 9, paragraph 4. These objectives are derived from Article 13 of the Waste Framework Directive. The objectives state that necessary measures shall be taken to ensure that: "*waste management is carried out without endangering human health, without harming the environment and, in particular: (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours; and (c) without adversely affecting the countryside or places of special interest*".
- **Anti-social Behavior, Crime and Policing Act 2014**
Local councils and the police have the power to issue Community Protection Notices against "individuals who are acting unreasonably and who persistently or continually act in a way that has a detrimental effect on the quality of life of those in the locality" including for invasive non-native species like Himalayan Balsam. A notice could require an individual or organisation to make reasonable efforts to make good the problems arising as a result of Himalayan within a specified period of time and/or a requirement to take reasonable steps to prevent future occurrence of the problem. Breach of any requirement of a Community Protection Notice, without reasonable excuse, would be a criminal offence.

Himalayan Balsam

Species Description

Scientific name: *Impatiens glandulifera*

AKA: Policeman's Helmet, Indian Balsam, Jac y Neidiwr (Welsh)

Native to: West and central Himalayas

Habitat: Found mostly on river banks and in damp woodland, can grow in other damp habitat

A tall, attractive, annual herb with explosive seed heads. Although easy to identify as a mature plant with its pink-purple flowers, fleshy stem and characteristic leaves, the seedlings and last year's dead stems of this annual are more difficult to spot.

Introduced as a garden plant in the early 19th century and first recorded in the wild in 1855. Often favoured by the general public for its aesthetic appeal and is still deliberately planted on occasion. Now widespread in the UK, especially along urban rivers. Spreads solely by seeds, which are small and easily carried by wind or water.

Out-competes native species in ecologically sensitive areas, particularly river banks. Where it grows in dense stands along river banks it can impede flow at times of high rainfall, increasing the likelihood of flooding. Die back of extensive stands over winter can leave river banks bare and exposed to erosion.

Himalayan balsam is listed under Schedule 9 to the Wildlife and Countryside Act 1981 with respect to England and Wales. As such, it is an offence to plant or otherwise allow this species to grow in the wild.

For details of legislation go to www.nonnativespecies.org/legislation.



Key ID Features



Identification throughout the year

Can be identified at most times of the year: March-June by its seedlings, stem and leaf shape, from July to September by its stem, leaf shape and flowers. More difficult to identify over winter (October to February), look for hay like remains and distinctive root structure.

Hay like remains in winter

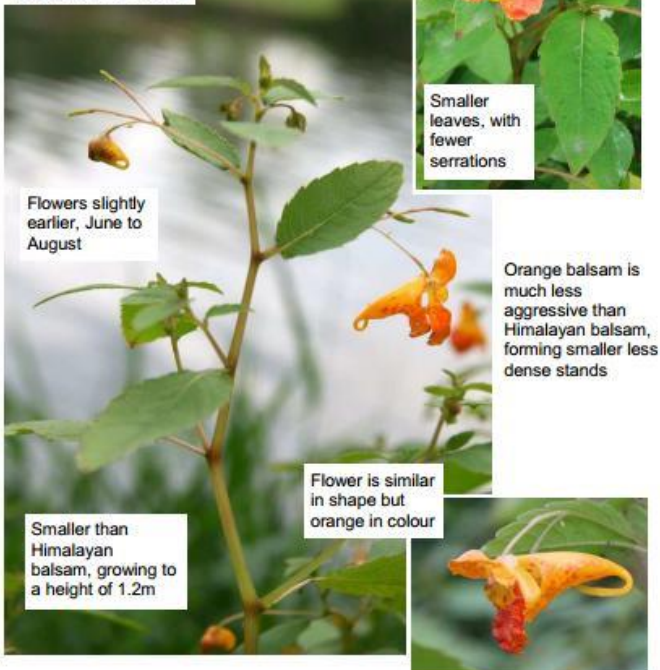


Root structure in winter



Similar Species

Orange Balsam Non-Native (*Impatiens capensis*)



Distribution

Widespread and common across the whole of the UK. Primarily on riverbanks and in other damp areas.

Source: NBN Gateway. Check website for current distribution



References and further reading:

Blamey, M, Fitter, R and Fitter, A (2003) "*The Wild Flowers of Britain and Ireland. The Complete Guide to the British and Irish Flora*". A & C Black

Preston, C D, Pearman, D A and Dines, T A (editors) (2002) "*New Atlas of the British and Irish Flora*". Oxford University Press

Stace, C (1999) "*Field Flora of the British Isles*". Cambridge University Press

Photos from: Olaf Booy, Mike Harris, Max Wade

APPENDIX C – EXAMPLE EXCLUSION FENCE SIGNAGE



Caution
This area contains
Himalayan Balsam



Keep out

APPENDIX D - LOCATION OF INNS

