



Japanese Knotweed and Himalayan Balsam Survey Report

Client: S. Shah

Property Address: 5 Rainsough Brow, Prestwich, M25 9SU

Order No/Ref: 20201013046

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P C A - c e r t i f i c a t e d s u r v e y o r s

www.japaneseknotweedplus.co.uk

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1. Specialist Details

Company: Japanese Knotweed Plus Ltd

Company Registration Number in England and Wales: 09777855

Registered Address: 139-143 Union St, Oldham, Lancashire, OL1 1TE

Directors: Stephen Singleton and Igor Molchan

Telephone: 0161 883 0666

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Website: www.japaneseknotweedplus.co.uk

Employers'/Public and Products Liability Insurance Policy No: 9116782X (Ageas Insurance Limited)



The Members of Our Team:

- Fully certified by City & Guilds to apply pesticides at land and aquatic areas by both spraying and injection (qualifications PA1, PA6, PA6AW and PA6INJ, City & Guilds, level 2).
- Hold certificates of Surveyor in Japanese Knotweed issued by Property Care Association (PCA).
- Certified by City & Guilds to carry out building work (qualification of Advanced Craft in Brickwork, City & Guilds, level 3).

The certificates confirming qualifications of our team members and insurance policy are available on request.

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2. Introduction to Japanese Knotweed

Japanese Knotweed (*Fallopia Japonica*) was first introduced to the British Isles by the Victorians in the middle of the nineteenth century. It was used as an ornamental garden plant due to its attractive appearance. Japanese Knotweed was awarded a gold medal in 1847 by the Society of Agriculture & Horticulture at Utrecht for the most interesting new ornamental plant of the year according to the 1848 catalogue of Von Siebold & Company of Leiden, specialist importers of plants from the East. Edible young stems, leaves and a rhizome are highly valued in Japanese and Chinese medicine. Being native in Northern China, Japan, Korea and Taiwan its spread is controlled by insects and fungi living on the plant. There are no natural predators of the plant in the UK and soon after introduction it spread rapidly across the UK and is now literally in every corner of the country. In less than 100 years after being introduced in the UK, Japanese Knotweed was referred to as a plant that is “easier to plant than to get rid of in the garden” in the 1907 edition of ‘The English Flower Garden’ by John Murray.

Japanese Knotweed is now known as an aggressive invader that can significantly alter the composition and structure of habitats in which it becomes established and is recognised as the most undesirable non-native plant in the UK. However, the risks caused by Japanese Knotweed are often exaggerated and are a subject of speculations in the mass media. It is perhaps a peculiar obsession of British journalists to use wordplay or puns to catch the attention of the reader and the word knotweed is ripe for exploitation. A ‘knot’ is a fastening made by looping a piece of string on itself and tightening it, but it also sounds identical to the negative word ‘not’ and particularly difficult problems are often referred to as ‘knotty’.

Examples from newspaper headlines include:

- Knot in my backyard.
- A potential solution to a knotty problem.
- Japanese Knotweed set to come undone.
- Knot impressed.

Nevertheless, Japanese Knotweed can add serious implications to land and home owners if not controlled properly. In spite of widely disseminated myth that the powerful rhizome system can destroy the foundations of buildings, roads, etc., it is partially true. If there are no fractures or cracks in the structures, there will be no way for rhizomes to get in to destroy them. Note, that a vertically installed rubber geomembrane of up to 3 mm thickness can stop a rhizome system from spreading if the seams of the overlapped membrane sheets are sealed properly.

Japanese Knotweed in the UK does not produce viable seeds. It is spread by fragments of stems and it is most likely the fragments of rhizomes as small as 0.8 gram may give life to a new plant. The rhizome is a modified stem that grows underground which sends out roots and shoots from its nodes. It stores nutrients and can survive for decades if not treated, whereas the stems die back at the end of growing season in late autumn. It is easily spread via rivers, railway paths as well as by animals, birds and unintentionally by people.

3. Japanese Knotweed Legislation

Currently, there are several main pieces of legislation in the UK that covers Japanese Knotweed and its control options directly or indirectly. The current legislation is frequently updated and new regulations are coming into force in a timely manner.

Can I Legally Have Japanese Knotweed on My Land?

It is not an offence to have Japanese Knotweed on the owner's land the local authority does not need be notified if the plant is present. However, the owner must take all the necessary actions to prevent the plant from spreading to the neighbouring property site since this can be regarded as a nuisance and may cause a civil matter. The owner may be sued by the neighbour in the civil court if there is the evidence of the plant spreading on the neighbour's land that may then potentially cause damage to the property or other buildings on the site. In this event, it is strongly advised to discuss with the owner their obligations first since legal actions may be risky and expensive.

The Wildlife and Countryside Act 1981 (as amended)

This is the principal legislation dealing with non-native species. 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.' Japanese Knotweed is one of the plants 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

These Regulations implement the control of pesticides in general, including those employed for the treatment of Japanese Knotweed. The application of pesticides must be accompanied by the appropriate precautions to protect people and wildlife. Approval from the local statutory agency must be obtained prior to applying pesticides near or in water.

Environmental Protection Act 1990

The Act contains a number of legal provisions concerning 'controlled waste', which is set out in Part II. Japanese Knotweed is classed as 'controlled waste' and subsequently, the disposal of any plant materials and any Japanese Knotweed contaminated soil must be disposed of safely at a licensed landfill site according to the Environmental Protection Act (Duty of Care) Regulations 1990. The disposal must be accompanied by the appropriate waste transfer documentation. Soil contaminated with the plant material must be buried at a suitably licensed landfill site to a depth of at least 5 m. An infringement under the Environmental Protection Act can result in enforcement action being taken by the Environment Agency which can result in an unlimited fine.

Hazardous Waste Regulations 2005

The regulations contain provisions about the handling and movement of hazardous waste. Untreated Japanese Knotweed is not classed as hazardous waste. However, the material containing Japanese Knotweed that has been treated with certain herbicides may be classed as hazardous waste. Special measures must be undertaken for transferring the material,

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accompanied by the notes relating to the hazardous properties and any special handling requirements. Failure to comply to the Regulations may lead to legal action.

The Plant Protection Products (Sustainable Use) Regulations 2012

This instrument transposes the requirements of Directive 2009/128/EC on the sustainable use of pesticides ('the Directive') for the United Kingdom. It includes requirement for the United Kingdom to adopt a National Action Plan and provisions aimed at achieving the sustainable use of pesticides by reducing risks and impacts of their use on human health and the environment.

The Anti-Social Behaviour, Crime and Policing Act 2014

The Act does not explicitly refer to Japanese Knotweed or other, similar invasive non-native plants, as the new anti-social behaviour powers are intended to be flexible. However, frontline professionals can stop or prevent any behaviour that meets the legal test in the powers. The notice can be used to require someone to control or prevent the growth of Japanese Knotweed or other plants that are capable of causing serious problems to communities. The test is that the conduct of the individual or body is having a detrimental effect of a persistent or continuing nature on the quality of life of those in the locality, and that the conduct is unreasonable. Under section 57 of the Act, 'conduct' includes 'a failure to act'.

Infrastructure Act 2015

This act was introduced because existing law did not contain sufficient powers to allow for timely and effective control or eradication of invasive non-native species.

The Infrastructure Act 2015 will give the relevant environmental authorities in England and Wales the power to issue the species control orders. These orders will make it possible to compel land owners or occupiers to carry out control or eradication operations, or allow them to be carried out by the issuing authority. Breaching a species control order will be a criminal offence, but owners or occupiers will have the right to appeal to a tribunal and, where relevant, may be compensated for any damage caused by the eradication work.

'Grandfather Rules'

Note, that operation under 'Grandfather Rules' exemption' is no longer allowed since 26th November 2015. If you were born before 31 December 1964 you are not allowed to apply professional pesticides on your land unless you hold a recognised certificate. In addition, anyone purchasing a professional product must ensure that the intended end-user holds a certificate.

4. Your Help in the Identification of Japanese Knotweed Is Valuable to Us

Japanese Knotweed Plus Ltd's goal is to achieve 100 % landowner participation in the eradication projects. Landowners are most likely to participate if they:

- Understand the purpose and benefits of the treatment.

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- Recognise that little effort is required from them.
- Trust the people doing the work.
- See that friends and neighbours are also participating in the project.

Please visit our website www.japaneseknotweedplus.co.uk for full terms and conditions of our service.

5. The Potential Risk of Japanese Knotweed to Land/Property According to the Royal Institution of Chartered Surveyors (RICS)

This risk assessment takes into account the real risk to a property and addresses some of the concerns of the lenders and insurance companies. A number of definitions may be helpful:

- The term ‘habitable space’ refers to those parts of the subject property associated with daily living (including conservatories) and not ancillary spaces (such as outbuildings and/or garages).
- According to the Environmental Agency’s The Knotweed Code of Practice, Japanese Knotweed rhizomes can extend up to seven metres horizontally and three metres vertically from the last sign of visible surface growth. This has been used as the minimum distance in the assessment process.

The term ‘**serious damage**’ means the following:

- Drains and other buried services: Knotweed roots can exploit existing cracks and gaps in the pipes in their search for water, which will further damage and in some cases block the drains. Large densely packed clumps or ‘stands’ of Japanese Knotweed can disrupt drain runs. In the worst cases the drains must be renewed.
- Patios, paths and drives: Japanese Knotweed can grow between slabs and expansion joints of concrete drives and disturb brick paving. Repairs can involve the removal of the existing paving and bedding material, treatment of the plant, removal of the crowns and roots and replacement of the path, patio or drive.
- Boundary and retaining walls: closely packed stands can undermine garden walls with shallow foundations. The mass of the stands can ‘push over’ retaining walls, often resulting in sudden collapse.
- Outbuildings: vigorous stands of Japanese Knotweed can overwhelm lightweight, insubstantial and poorly founded outbuildings such as garden sheds, greenhouses and in some cases, poorly built garages.
- Conservatories: although the effects will be similar to those described for outbuildings, owners, valuers and surveyors usually attribute greater importance to these structures.
- Gardens: the invasive nature of the plant can ruin well-planned and well-stocked gardens. Some owners spend tens of thousands of pounds on renovating and

redesigning outside spaces, including sophisticated water features and bespoke outbuildings. Japanese Knotweed can spoil much of this.

The risk caused by Japanese Knotweed is subdivided in four categories (Table 1).

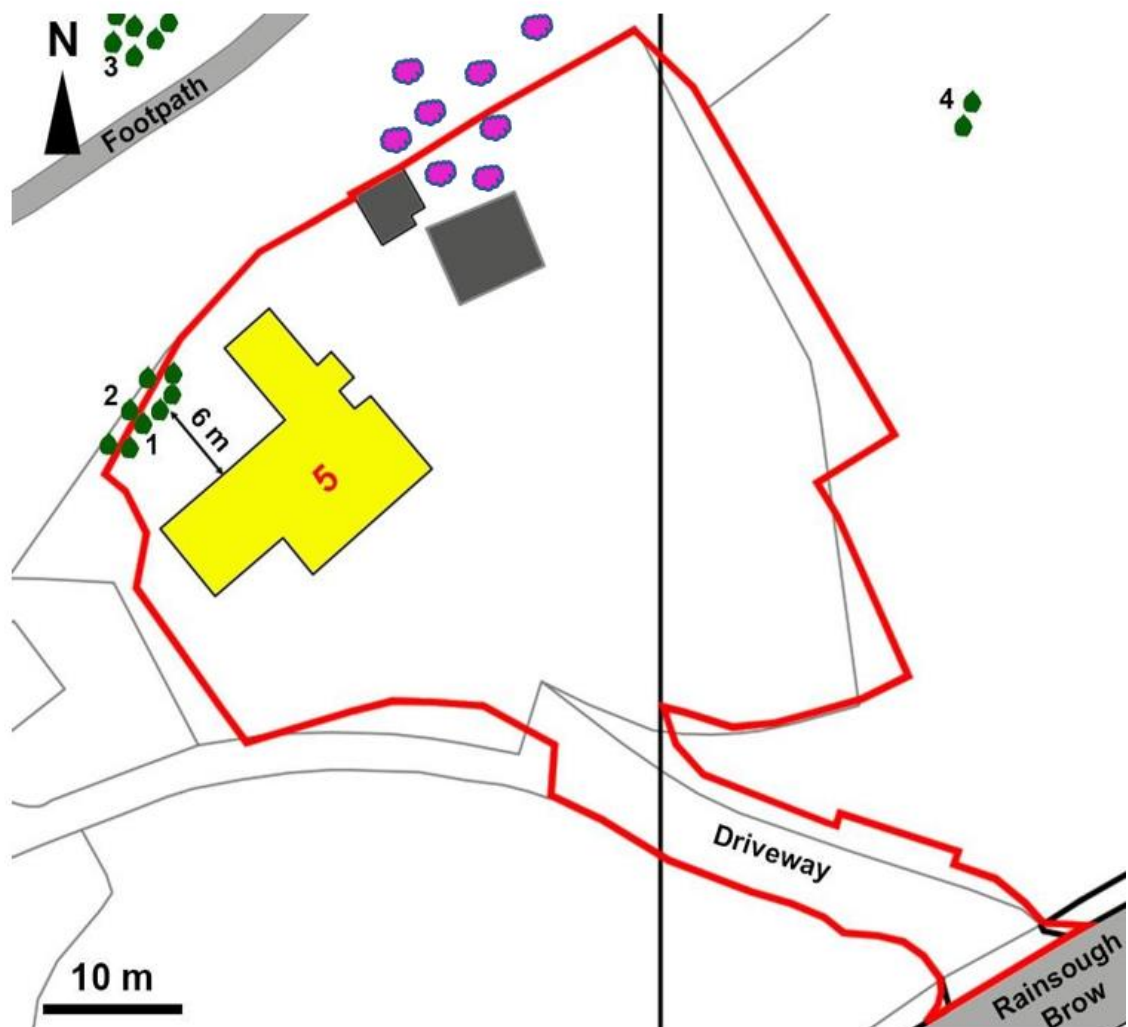
Table 1. *The risk assessment of Japanese Knotweed.*

Category	Description
1	Japanese Knotweed was not seen on this property, but it can be seen on a neighbouring property or land where it was more than 7 metres away from the boundary.
2	Japanese Knotweed was not seen within the boundaries of this property, but it was seen on a neighbouring property or land. Here, it was within 7 metres of the boundary, but more than 7 metres away from habitable spaces, conservatory and/or garage of the subject property.
3	Although Japanese Knotweed is present within the boundaries of the property, it is more than 7 metres from a habitable space, conservatory, and/or garage. If there is damage to outbuildings, associated structures, paths and boundary walls and fences, it is minor. Further investigations by an appropriately qualified and/or experienced person is required.
4	Japanese Knotweed is within 7 metres of a habitable space, conservatory and/or garage, either within the boundaries of this property or in a neighbouring property or space; and/or Japanese Knotweed is causing serious damage to outbuildings, associated structures, drains, paths, boundary walls and fences and so on. Further investigations by an appropriately qualified and/or experienced person is required.

6. Survey Results

6.1. Plan View Map

Two surveyors from Japanese Knotweed Plus Ltd carried out a detailed inspection of the client's site and neighbouring area at 15 Rainsough Brow, Prestwich, M25 9SU shown on the map. The approximate boundary of the property is outlined in red. The habitable space (the cottage) is highlighted in yellow. The locations of Japanese Knotweed are schematically shown by green leaves and numbered. The shortest distance from the Knotweed to the cottage is also displayed on the map. The location of the Himalayan Balsam is schematically shown by pink shapes.



6.2. Visual Land Surface Survey and Photo Evidence

The survey is based on a visual observation. No digging of the soil to disturb the weeds and plants was undertaken. The client's site is a plot of land with a cottage and two outbuildings. It is planned to demolish a cottage and outbuildings and to build four new houses. Most of the site is clear of Japanese Knotweed. The next photographs show appearance of the site at selected locations that are clear of Japanese Knotweed.

At driveway at the site entrance.



General appearance of the site.



Area next to the fence line.



Area adjacent to outbuildings.



The photo below shows Himalayan Balsam growing behind the outbuilding, there is an approximate area of 40 sq. metres; it extends onto the neighbouring land where the plants are sporadic.



The Knotweed (shown by arrows) was present behind the cottage near the brick wall bordering the site (location 1 on the map).



Small plants up to 1 ft high were sporadically scattered along the brick wall.





JAPANESE KNOTWEED PLUS

Close up appearance of the individual plants is displayed in the photographs below.



Some plants sit in close proximity to the brick wall.



The Knotweed was supposedly cut previously during mowing grass and other garden maintenance work.

Several Japanese Knotweed crowns were evident on the neighbouring land behind the brick wall (location 2).



Close up appearance of the individual crowns is shown in the next photos.





A small Knotweed plant turned to yellow was observed in front of one of the crowns (next to the boot). No more regrowth was evident across the location 2.



The crowns appear not alive; they are dry and crown fragments may easily be detached. No dead Knotweed canes were observed. They may be removed or rotted if layed on the ground for several growing seasons. We suppose that chemical treatment was applied before on the neighbouring land only. As Knotweed is present on the client's land the rhizome system

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of the plant has spread to the client's land under the brick wall. It is assumed that treatment on the neighbouring land did not result in killing the plant completely and it is likely that regrowth on the neighbouring land may take place in the future.

As a part of our survey routine, the area around the client's site was inspected. The Knotweed was observed behind the footpath (location 3). The plants up to 4-5 ft high were scattered across the area; selected plants are displayed below.



Further, a small plant and a couple of crowns were noticed in the location 4.



The distance from the Knotweed in the locations 3 and 4 to the site boundary is 20-30 metres and does not impose any risk to the client's site.



No Japanese Knotweed was observed in other locations at a reasonable distance from the client's site.

The most likely reason for contamination with Japanese Knotweed.

It is likely that rhizome fragments have been brought to the area by animals such as foxes or badgers, e.g. on their fur. This is among the main means of spread of the plant. Rhizome fragments as small as 0.8 gram are capable of regeneration into new plants.

7. Possible Treatment Options

7.1. General Notes

A detailed visual survey of the client's property and surrounding area was carried out by Japanese Knotweed Plus Ltd. Japanese Knotweed was observed within the client's property boundary 6 metres away from the habitable space (the cottage). Thus, the risk of the Japanese Knotweed to the property formally falls into **the category 4** according to the RICS classification (see Table 1 in Section 5). In this case, a management plan to treat Japanese Knotweed is formally required. It should be noted that no Japanese Knotweed-related damage to the building was noticed during the visual inspection. As the client plans to demolish the cottage the risk may be then downgraded to the category 3 if the new houses will be in more than 7 metres from the Knotweed.

Further, the knotweed affecting the client's site was located on the neighbouring land next to the boundary with the client's site. The total area occupied by the Knotweed is under 20 sq. metres.

If the client decides to proceed with treatment with us, Japanese Knotweed Plus Ltd strongly recommends to consider the following advices when dealing with Japanese Knotweed:

- Don't try to dig up Japanese Knotweed or cut their stems as this will lead to a significant increase in stem density. A tiny fragment of the cut rhizome as small as 0.8 gram or a fragment of a stem with two nodes are capable of regeneration.
- Don't spread soil contaminated with Japanese Knotweed rhizome fragments. Any soil that is obtained from ground within 7 metres of a Japanese Knotweed plant could potentially contain rhizome that could create a new plant.
- Don't chip Japanese Knotweed material as this does not kill it. Any spreading of the chipped material on soil can cause the regrowth.
- Don't dump Japanese Knotweed material or soil contaminated with Japanese Knotweed outside of your property site as this is an offence under the Wildlife and Countryside Act 1981 and can result in legal actions.
- Do not try to hide Japanese Knotweed.

Please note: whether treated or not treated the dead canes cannot be taken off-site or put into the bin for garden waste. Please take into account the following:

- (a) According to the Environmental Protection Act 1990 Japanese Knotweed is classed as 'controlled waste' and subsequently, the disposal of any plant materials and any Japanese Knotweed contaminated soil must be disposed of safely at a licensed landfill site.
- (b) Once Japanese Knotweed has been treated with certain herbicides it may be classed as hazardous waste according to Hazardous Waste Regulations 2005. Special measures must be undertaken to transferring the material off-site.
- (c) If the Japanese Knotweed is to be dug out and transferred to a specialist landfill site the haulier must be registered to carry Japanese Knotweed contaminated waste.
- (d) The dig out of the Japanese Knotweed should be supervised and recorded by a PCA accredited surveyor.

7.2. Tentative Treatment Plan

Normally, two-to three-year treatment course using herbicides is applied to kill slowly Japanese Knotweed. The course is followed by a two-year monitoring to ensure that the probability of regrowth in the future will be significantly low. The herbicide we use can be sprayed onto the leaves or injected into the stems. It will be drawn down into the plants vascular system and stop the production of amino acids which build up the protein that the plant needs to grow and survive. The plant will effectively slowly starve to death.

However, as mentioned before the Knotweed was presumably treated on the neighbouring land only. We are not familiar what management plan was put in place, i.e. what chemical was used, when treatment was applied, what was the duration of treatment. The Knotweed continues growing on the client's land through spread of the rhizome system under the brick wall. It is likely that treatment turned a fraction of the rhizome system on the neighbouring land to dormancy that may cause intense regrowth in the future.

In view of the above we can not offer in this case complete eradication course that includes the phases of treatment and monitoring. Alternatively, we can offer regular visits, e.g. two time a year to apply treatment on the client's and neighbouring land in the locations 1 and 2. This may result in killing the plant after 2-3 years of treatment; however, it is not guaranteed.

Treatment of Himalayan balsam will be undertaken on monthly basis in the period from May to September. Mechanical and chemical treatment will be applied where appropriate. Such strategy is selected to prevent the plant from flowering and producing the seeds. Complete eradication of Himalayan Balsam is unlikely to be achieved within the site due to the high probability of spread of the seeds from the neighbouring land.

Important Notes

A permission to treat the Knotweed on the neighbouring land will formally be required and should be arranged by the client.

Once a treatment/monitoring course has started, it is the responsibility of the client/new owner/landlord/tenant to ensure that the treated area is not disturbed by any means, e.g. poisoning, digging, cutting, trampling, fly tipping, building on or treatment by other person/party. If we find that there is a potential that dormancy of the plant has been caused



by any of the above, the treatment/monitoring may be stopped with no refund of the payment for our services.

Unrestricted access to the infested area will be required to apply the treatment. Failure to provide access will stop the treatment/monitoring course with no refund.

If the ownership of the property is transferred a copy of the document and other related paperwork must be made available to the new owner by the client.

Please refer to our Terms and Conditions of Service for more detail. The latest version of our T&Cs is available at

<https://www.japaneseknotweedplus.co.uk/terms-conditions/>

As demolition/building of new houses on the site is planned by the client, moving/using machinery and other equipment close to the area with the Knotweed must be avoided to prevent spread of the Knotweed fragments across the site and off-site. Otherwise, any work in the area with signs of the Knotweed must be carried out under supervision of a PCA accredited specialist in Japanese Knotweed to ensure that fragments of the plant will not leave the site.

Himalayan Balsam can be seen on page 12 of the report. The plants were growing behind the outbuildings and occupied the area of approximately 40 sq. metres; it extends onto the neighbouring land where the plants are sporadically scattered. Himalayan Balsam seeds will always be a problem to the site as the seeds are likely to blow in from the area beyond the boundary.

If this area is to be used for new building foundations, we would recommend that the soil in this area is removed to a depth of .5 metres and be taken to a registered/ licenced landfill site or banded on site.

Most seeds of Himalayan Balsam can remain viable for up to four years. There is the potential that all the site could be covered with the seeds from the previous consecutive years growth. If the client intends to develop the site within the next two years the following should be taken into consideration. The seeds of Himalayan Balsam can be spread 5-7 metres away from the parent plants and will be picked up by vehicles working on the site.

In order to prevent seeds from leaving the site we would suggest a pressure washer to be located at the exit that will be employed to clean wheels/tracks of the vehicles. A hard standing washing area will be needed to allow for any waste water/materials to stay on site. If constructed, a Geotech weed barrier membrane should be fitted under the hard core standing.

The vehicles, wheels/tracks should be cleaned leaving no soil on them before they leave the site. Any personnel leaving the site should dip and wash their footwear before leaving the site.

We can provide a PCA accredited surveyor if digging out is the preferred option. The cost will £900.00 per day.

Treatment

(a) Japanese Knotweed

Year 1: 2022

A treatment with a professional weed-killer will be undertaken in June. The site will be visited again in September to apply a weed-killer if required.

Year 2: 2023

A treatment with a professional weed-killer will be undertaken in June. The site will be visited again in September to apply a weed-killer if required.

Further treatments beyond 2023 will be arranged upon request.

(b) Himalayan Balsam

Year 1: 2022

The site will be visited in May, June, July August and September. The plant will be chopped/removed mechanically or sprayed with a weed-killer where appropriate.

Year 2: 2023

The site will be visited in May, June, July August and September. The plant will be chopped/removed mechanically or sprayed with a weed-killer where appropriate.

Further treatments beyond 2023 will be arranged upon request.

8. Cost of Treatment

Each visit in 2022 will be charged as follows:

£250 in May to treat Himalayan Balsam;

£350 in June to treat Himalayan Balsam and Japanese Knotweed;

£250 in July to treat Himalayan Balsam;

£250 in August to treat Himalayan Balsam;

£350 in September to treat Himalayan Balsam and Japanese Knotweed;

Thus, five visits per year will be arranged, thus totalling the cost at £1450 per year.

The invoice (for £250 or £350) will be forwarded to the client prior to each visit and the treatment will be applied after the invoice is paid. Alternatively, the invoice covering 5 visits per year (£1450) may be forwarded prior to the first visit.

The same cost will be applied in 2023. Currently, no VAT is charged on top of the total cost.