Method Statement
Invasive Non-Native Plant Species
Upper Brook Street, Manchester

Site Name:	Upper Brook Street, Manchester	**Reference:**	MS-6550-01
Date	09/07/2025	**No of pages:**	8
Inspection carried out by:	Josh Birchall BSc (Hons), MCIEEM, CSJK Senior Ecologist		

Introduction:

This Method Statement (MS) is produced in order to address planning conditions relating to the proposed development at the site known as Upper Brook Street, Manchester (the Site). Application reference: 137399/FO/2023.

Invasive Non-native Species (INNS) were previously identified at the wider Site which has now been split into two areas during a preliminary ecological appraisal carried out by Brooks Ecological (report reference: ER-6550-01). The INNS previously identified were in the south east of the site, which has since been removed from the survey area covered in this report.

Development plans are approved subject to the attachment of conditions relating to the monitoring and treatment of any invasive non-native species that may be present through construction.

Planning Condition:

> *14) Prior to the commencement of a plot of the development, an invasive species management strategy (excluding demolition works) including an updated survey carried out between March and October, shall be submitted for approval in writing by the City Council, as Local Planning Authority,*
> *The agreed management strategy shall be implemented in full for the duration of the development.*

Scope and purpose of this method statement (MS)

This MS relates to the area identified within the Figure 1 plan below, comprising the development red line boundary.

The risks from the presence of INNS are greatest during activities that cause disturbance to the areas they grow in. This MS sets out monitoring and controls required during the construction phase of development, along with recommendations for long term management to control the identified species should they be found.

Unit A, 1 Station Road, Guiseley, Leeds, LS20 8BX
Phone: **01943 884451**
01943 879129
Email:admin@brooks-ecological.co.uk
www.brooks-ecological.co.uk
Registered in England Number 5351418

	The focus on this MS is those species listed under Schedule 9 of in the Wildlife and Countryside Act, as these pose the greatest risk from a legislative and ecological perspective. **Risks from the presence of INNS:** The Target species are scheduled on the basis that their presence in certain sensitive habitat areas can be detrimental to habitat quality and biodiversity. It would be an offence under the Wildlife and Countryside Act to allow or wilfully cause a Schedule 9 plant to spread into the wild. If and where found within the site, the movement of soils containing INNS propagules (seed, corms, stem fragments etc. from which the plant can reproduce) presents the greatest risk of spreading these species into off-site habitats. If removed from a property, soils or waste INNS plant material, or plant material they can grow from is classified as a *Controlled Waste* and must be disposed of accordingly to ensure compliance with environmental and waste management legislation. **Risk assessment: Low risk** In order to facilitate the development and ensure compliance it will be necessary to monitor and mitigate the risk from INNS occurring within the site and from associated contaminated soils or plant material during construction works. Risk is assessed to be low due to the historic remediation of the site with deep compacted substrates. General risks from INNS are set out in Appendix 1 with additional information on the risk and management categories currently in use by the RICS (primarily in relation to Japanese knotweed in particular).

Figure 1 Red line boundary and survey area	
Survey:	An updating site survey was undertaken on the 25th October 2024 to look for and confirm the extent of INNS. The survey was carried out during fine conditions and, although late in the survey season, relevant species could still be identified by the surveyor. Potential constraints to the survey inlcuded: vegetation clearance and general disturbance at the Site due to high foot traffic. Given the urban location there is potential for the spread of INNS into the site via fly tipping or via birds spreading seed. **The survey did not identify any INNS on Site at the time of survey.**

Conclusions	Given the lack of INNS observed during the survey no further remedial measures are recommended at this stage. It should be noted that Cotonester sp. and Japanese Rose were noted growing in adjacent off-site area so vigiliance is important, as birds could spread seed into the site with ease. Due to the developed nature of most of the siteis is considered that the risk of spread is limited; however, if development does not commence within two growing seasons (24 months of reporting) an updating survey should be carried out to confirm continued absence.

Photo 1

Cleared vegetation at western site edge



Photo 2 Overview of central site area	
Photo 3 Litter accumulation in corners	

Appendix 1	**General Risks from the presence of INNS** The identified species are listed under Schedule 9 of the Wildlife and Countryside Act (1981) as amended. For Schedule 9 species their presence on the site prior to any proposed development is not in itself a contravention of legislation; however, to inform land management and where development is planned the following legal constraints are relevant and may require action to ensure compliance. **General risks** Risks associated with the presence of invasive non-native species (INNS) fall into the following broad categories: Offences in relation to wildlife / environmental legislation Invasive species have long been controlled on the basis of the threat they pose to our native wildlife, reflected through controls provided in the Wildlife and Countryside Act (1981) amended by later Acts such as the Natural Environment and Rural Communities Act (2006) and the Countryside and Right of Way Act (2000). This legislation makes it an offence "to plant or otherwise cause to grow in the wild" any plant listed on Schedule 9 of the Act. The protection of biodiversity from invasive or alien species has been strengthened by EU Regulation 1141/2014. This sets out targets for pre-emptive action, reporting and larger scale actions but also states that you must not "allow or encourage (listed INNS species) to spread outside your land". Where this cannot be guaranteed it is required that the plant in question be controlled or removed. **The costs of enforced action** The Infrastructure Act (2015) allows government agencies to enter into Species Control Agreements (SCA's) or to enforce Species Control Orders (SCO's) with / on landowners. These are likely to change significantly the ability of local authorities to negotiate with landowners in reducing issues of invasive species, and may lead to local authorities taking a more directed and prescriptive approach to dealing with problem species in particular cases. **Claims by third parties** The potential of invasive species to cause a private nuisance, or to result in damage to the property of others, is recognised in both the Common Law of Private Nuisance, and the Anti-Social Behaviour, Crime and Policing Act (2014), and can result in court orders or community protection notices requiring action or the payment of damages or fines. Recent case law (Waistell vs Network Rail) has demonstrated the ability of claimants to secure damages and compensation in relation to damage to property (and value of). The Property Care Association (PCA) and the Royal Institute of Chartered Surveyors

	(RICS) provide guidance on the potential of JKW and other INNS to result in a private nuisance causing damage to the structure or value of property. **Offences relating to disposal and treatment of invasive species** Disposal of invasive species and soils containing their propagules (seed or rhizome) may be classed as 'controlled waste' and subject to relevant clauses of the Duty of Care Regulations (1991) under Part II of the Environmental Protection Act (1990). Only properly licensed organisations may remove this waste from a property, and they must take it to appropriately licensed waste facilities. The removal of contaminated or infected soil can result in the removal of very large amounts of material from a Site at considerable cost.

References	RICS (2022) Royal Institution of Chartered Surveyors .Japanese Knotweed and Residential Property. RICS guidance note, UK 1st edition, January 2022 Property Care Association (2014) *PCA Guidance Note on Japanese Knotweed Control: Guidance Notes for Herbicide Treatment.* Last accessed online June 2018. Property Care Association (2014) *PCA Guidance Notes - The problems of Japanese knotweed - Advice for Developers.* Last accessed online June 2018. Property Care Association (2018) *Practical Management of Invasive Non-Native Weeds in Britain and Ireland.* Packard Publishing.