

Invasive Plant Species Remediation Method Statement

Remedial Method:

- Excavation off-site licensed disposal of Japanese Knotweed & Montbretia 'Controlled Waste' arisings

Site Address:

Proposed New Industrial Scheme, Grimshaw Lane, Manchester, M40 2BA

Client:

A & H Construction & Developments PLC

Client Reference:

N/A

Zirkon Project Reference:

TP/23/0542

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Contents

<i>Overview</i>	<i>1</i>
<i>Relevant Legislation, Policy & Information</i>	<i>1</i>
The Wildlife and Countryside Act 1981	1
Control of Pesticides Regulations 1986	2
Common Law (Private Nuisance)	2
The Anti-Social Behaviour, Crime and Policing Act 2014 / Community Protection Notice	2
<i>Methodology</i>	<i>3</i>
Vegetation Clearance & Tree Removal	3
Excavation of Japanese Knotweed & Montbretia – Off-site disposal	3
Optional– Reinstatement of excavation cut via backfill	3
Importation of soils on to site	4
Herbicide Treatment for Invasive Plant Species	4
<i>Management Techniques</i>	<i>4</i>
1. Working method when carrying out herbicide treatments	4
2. Working method when carrying out excavation of Invasive Plant Species	5
<i>Method Statement Limitations</i>	<i>6</i>
<i>References</i>	<i>6</i>

Overview

Zirkon Ltd have been instructed by A & H Construction & Developments PLC (Our client) to prepare this method statement and in due course; remediate all Schedule 9 Invasive Plant Species at their site on Grimshaw Lane, Manchester, M40 2BA. The intention is for the site to be developed in 2023 with proposals in place for a new industrial scheme.

The remediation method detailed within this document can be used to satisfy and discharge planning condition No.36 within the planning permission and consent (Application Number 129444/FO/2021) issued by Manchester City Council – Scheme for removal of non-native invasive species.

Planning Condition 36: ‘Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted for approval by the City Council, as Local Planning Authority. This shall detail the containment, control and removal of Japanese Knotweed and Montbretia at the site. The development shall be carried out in accordance with the approved protocol.

Reason – ‘In order to deal with the invasive non-native species at the application site pursuant to policy EN15 of the Manchester Core Strategy (2012)’.

Zirkon Ltd conducted a full site survey on **21st April 2021** and have an update survey booked in for **30th June 2023** at the subject site under ref; TP/21/7815 and TP/23/0544. The findings during this main site visit have concluded in a quotation and method statement for complete removal of all viable Japanese Knotweed and Montbretia present at the site. Due to future development and groundworks within the affected locations, a quotation for excavation & off-site disposal has been provided for these 2 invasive plant species. The site will benefit from 2 x years of monitoring following the Japanese Knotweed and Montbretia remediation and a 10-year insurance backed guarantee will be provided for the Japanese Knotweed. There is no guarantee available within the industry for Montbretia but it will benefit from our post-excavation monitoring visits. Please refer to the site plans to see the affected areas of the site in 2021.

Relevant Legislation, Policy & Information

Zirkon will assist our client A & H Construction & Developments PLC to ensure they comply with the relevant UK legislation relating to the Schedule 9 Invasive Species: Japanese Knotweed and Montbretia.

The responsibility of managing the two detailed invasive species lies with the owner or occupier of the site where the invasive species are present. At present, there is no statutory requirement to eradicate, destroy or report the presence of these three non-native species as they are not currently listed under The Weeds Act 1959. This may be the case, but in order to prevent the rapid spread of these invasive plants it is highly recommended to take prompt action to control them. The legislation in place covering the control and disposal of Japanese Knotweed and Montbretia is discussed below.

The Wildlife and 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. 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’. Japanese Knotweed and Montbretia are listed in part II of the schedule.

Any Japanese Knotweed and Montbretia contaminated soil or plant material that you intend to dispose of is likely to be classified as 'controlled waste' under **The Environmental Protection Act 1990**. Untreated Japanese Knotweed and Montbretia are **not** regarded as a 'hazardous waste' under the **Hazardous Waste Regulations 2005** but material containing these invasive species, that has been treated with certain herbicides could be'.

Control of Pesticides Regulations 1986

When using pesticides to control and destroy Japanese Knotweed or Montbretia, all persons must follow The Control of Pesticides Regulations 1986 and also comply with Control of Substances Hazardous to Health Regulations 2002.

All reasonable precautions should be taken to safeguard the environment, protect human health, creatures and other plants. Most importantly care should be taken to avoid water pollution, therefore the Environment Agency must be contacted, and approval granted before pesticide application in or near water.

Common Law (Private Nuisance)

Permitting Japanese knotweed and some other invasive plants to spread from your property to an adjacent landowner's property may be regarded as 'Private Nuisance' under common law. If reasonable steps are not taken to control and eradicate the knotweed, you could ultimately be sued. This is however a long and costly process and is often easier to solve amicably with the affected neighbouring properties.

The Anti-Social Behaviour, Crime and Policing Act 2014 / Community Protection Notice

The community protection notice can be used against individuals and companies 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. This means leaving Japanese knotweed & other invasive plants to grow and spread. 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. Local councils and the police (in most cases it will be the local council) will have the power to issue notices for invasive non-native species like Japanese knotweed.

Methodology

Vegetation Clearance & Tree Removal

There is some tree and vegetation clearance required at the site to facilitate the Japanese Knotweed & Montbretia remediation works. This work will need to be carried out under the strict supervision of a specialist invasive species clerk of works, to ensure that the invasive plants are not spread as a result of the tree and vegetation clearance works. Zirkon can facilitate both the clerk of works service and also the tree and vegetation clearance work (If required); and will provide costings via separate cover.

Excavation of Japanese Knotweed & Montbretia – Off-site disposal

As an immediate solution is required for the site to enable development to commence, Zirkon recommends all infested sub-soils present at the site are excavated and stockpiled within a controlled location on site, ready for licensed disposal. Proposed excavation extents are to include a 1.5m offset from visible extents to account for horizontal rhizome spread for the Japanese Knotweed and Montbretia affected areas. These excavated controlled waste arisings will be loaded to 20t 8-wheel haulage lorries to be deposited off-site as 'controlled waste' within a licensed landfill in accordance with the Environmental Protection Act 1990. Zirkon will excavate these identified areas to a depth of up to approximately 1.5-2 metres (variable) for Japanese Knotweed and approximately 1-1.5 metres deep for Montbretia, to remove the rhizome networks and 'corns'. This working method is in-line with current industry and environmental standards.

Strict measures will be taken to minimise the risk of cross-contamination during the works. These will include warning signage, dedicated foot wash stations, in-house specialist excavation staff, fenced-off controlled waste stockpile zones, Japanese Knotweed & invasive plant species toolbox talks, traffic banksmen overseeing the soil loading processes and also detailed site layout plans.

The client may commence with the proposed development or ground works immediately following the initial excavation works being deemed complete. The Zirkon/ TP Knotweed Solutions management team will issue a 10 Year insurance backed Guarantee (**'the guarantee'**) for the site following completion of the excavation, disposal, reinstatement (optional) and 2-year monitoring process, to provide the client with peace of mind. This guarantee only covers the invasive plant species Japanese Knotweed, as this is the only invasive plant covered by the UK insurance market.

Where development takes place before or during the 2-year monitoring period, the 10-year guarantee will become valid once the development has been completed and 2 x years of successful monitoring has taken place. A 2-Year monitoring period will follow the initial removal work. This will ensure all areas are carefully monitored for unforeseen contamination and provide tangible evidence of successful remediation via the onsite physical removal works conducted in year 1.

It is expected on-site removal works (excavation and disposal) will take approximately 10-15 working days from mobilisation to completion.

Optional– Reinstatement of excavation cut via backfill

Zirkon have not provided a cost for backfilling the excavated areas following remediation works at this stage. It is likely that the client will be carrying out a cut and fill exercise as part of the wider development and there may be no need to import backfill materials. Should backfill be required, Zirkon can provide costings based on the specification required. All excavated areas will be cut back to a safe angle of repose and left for the client to continue with the development works.

Importation of soils on to site

During our remediation works, there should be no requirement to import any topsoil or sub-soil on to the subject site. If this is required, the source of the soil must be carefully analysed and checked to ensure no material containing potential Japanese Knotweed or other invasive plant species are brought to site. Where the client carries out soft landscaping, soil sources should be checked, and a reputable contractor selected for any landscaping works.

Herbicide Treatment for Invasive Plant Species

There should be no requirement for herbicide treatment of invasive species at this site. The client needs a quick solution that enables development to commence without future restrictions. In the event that any herbicide treatment was required, the below management techniques would take place.

Management Techniques

1. Working method when carrying out herbicide treatments

- 1.1. Zirkon/ TP Knotweed Solutions will have identified the invasive plant species on site during the initial site survey stage. The appropriate herbicide will be chosen, the correct application rate will be used based on the product label, and the correct water quantity will be chosen. If the spraying of herbicides is required close to a watercourse, the Environment Agency and other relevant bodies will be contacted and permission obtained for the site.
- 1.2. Calibration of equipment: An operator who holds an appropriate NPTC certificate of competence will have calibrated all application equipment used on site. The knapsack nozzle selected will take into account the volume of application, product label recommendations and weather on the day of the application.
- 1.3. Commencement: Before starting application, the spray operative will check that the weather is suitable; members of the public are not going to be put at risk; that due regard has been taken of nearby watercourses, drains, other environmental factors and neighbouring properties. Any warning notices required will have been positioned prior to the start of work. In the event of weather or other conditions changing in such a way as to make the continued treatment inadvisable work will be suspended and the client informed of this. Treatment will begin again once conditions are suitable.
- 1.4. Mixing the chemical(s): Having determined how much chemical mix is required for the job the operator will normally fill the tank with half the required quantity of water, introduce the correct amount of chemical and add the remaining quantity of water. Agitation of this mixture will then take place for a suitable period of time prior to application.
- 1.5. Application: During the course of application the operator will maintain a constant forward speed as established during calibration. Each bout or swath will be made of even width and with parallel passes. Where appropriate a marking process will be used to prevent the missing or overlapping of swaths. The sprayer will be switched on and off smartly on starting and stopping to maintain accurate application.
- 1.6. Completion: The operator will take full responsibility for the removal of all unused pesticide to a suitable locked container. Empty containers will be rinsed and, together with other packaging, collected by a registered waste disposal contractor or taken to an approved site for disposal. The operator will also ensure that any warning signs are removed or allowed to remain in place for a suitable period of time. The operator will complete the company job card as soon as the work has been completed. All quantities of chemicals

used will be recorded, together with details of the weather and any other relevant information. The client will be notified of completion and copies of any relevant records made available to the client.

- 1.7. Prior to spraying: The invasive plants must remain undisturbed to enable a thorough application of the herbicide to as large a leaf area as possible and also to prevent any further contamination of the site and surrounding areas.

2. Working method when carrying out excavation of Invasive Plant Species

- 2.1 Staff will undertake site induction (Where necessary), sign the risk and method statement (RAMS), install foot wash stations, erect signage, install Heras fencing and study the remediation site plans.
- 2.2 Excavation of invasive plant species affected zones – A appropriately sized excavator will be used within these areas. Where possible, the sides of the excavation will be battered to a safe angle of repose (approximately 45 degrees) and the excavated area will be inspected, to ensure that it is safe. The specialist Zirkon site team will be on site at all times; and will chase the rhizome network down, to remove all of the visible Japanese Knotweed and Montbretia material underground. The team will use line marker spray to show the excavator operator where to excavate.
- 2.3 Stockpile of excavated ‘controlled waste’ – All excavated material will be carefully stock piled in designated area using a 6T/9T Forward tipping dumpers. Clean the wheels/ tracks upon exit of stockpile area and visually check.
- 2.4 Loading and transport of ‘controlled waste’
- 2.5 The excavator will move the excavated material from the designated stockpile area, directly in to 8-wheeler 20 Tonne haulage vehicles. The waste will then be taken off site to a licensed landfill site.
- 2.6 Zirkon/ TP Knotweed Solutions will organise for the appropriate number of 8-wheeler haulage vehicles to take the controlled waste soils from the site to a licensed landfill site. All Waste Transfer Notes (WTN’s) for the haulage vehicles should be checked to ensure waste is disposed of legally and correctly.
- 2.7 Once the specialist Zirkon site team has confirmed that all visible Japanese Knotweed/ Montbretia material has been excavated and removed, the excavator can stop work. The excavated area will be carefully inspected and the site team will ensure that the sides of the excavation have been battered to a safe angle of repose and the area graded.
- 2.8 The excavator will need to be cleaned/ washed down in the affected area using water (where necessary) and a stiff brush, to remove any potential invasive species material.
- 2.9 All workers within this area must wash their boots using the dedicated footwash stations, water and a stiff brush to ensure that no invasive plant material is transferred to other areas of the site.
- 2.10 Once completed, the excavated area will need to be fenced off appropriately (where necessary) and warning signage erected. The site will be left clean and tidy. The client will need to backfill the excavated area as soon as possible and can then commence with the development works.
- 2.11 Zirkon will continue to monitor the client’s site and issue a 10 Year Guarantee for the Japanese Knotweed.

Method Statement Limitations

Tree Protection Orders

Zirkon will liaise with the client and should be made aware of any TPOs, prior to excavation works commencing.

Party Wall etc Act 1996

Any party wall agreements and arrangements should be finalised prior to any excavation works commencing. This is the responsibility of the primary Client.

Overhead/ Underground Service

It is the responsibility of the client to ensure Zirkon are informed of any known services including service drawings or survey reports. Zirkon will also be carrying scans out relating to any underground services while on-site, as an extra precaution.

Trees & Vegetation on site

Zirkon would recommend a full ecological appraisal of the site prior to any works commencing. The vegetation on site would need to be cleared prior to any remediation works being undertaken to allow access to the affected area. This would need to be carried out under the supervision of our specialist clerk of works in areas where invasive plant species are present or by Zirkon, as our team have a vast amount of experience dealing with invasive plant species and also carry out commercial site clearance.

Soil testing

Soil analysis/ ground investigation would need to be undertaken prior to works being undertaken, in line with policies set for licenced waste carriers. Testing would be undertaken at an independent licenced facility, for hydrocarbons, asbestos, and other contaminants.

Debris on site

Where rubbish / tipped waste is present across the site, a full clearance of any hazardous or dangerous items must be carried out prior to works being undertaken on the site, to allow safe passage for workers and plant/machinery.

References

The following reference documents may be referred for further information:

- ENVIRONMENT AGENCY, 2006. The knotweed code of practice. Environment Agency.
- CHILD, L.E. and WADE, P.M, 2000. The Japanese Knotweed Manual.
- https://www.property-care.org/wp-content/uploads/2018/05/PCA-COP-Control-of-Knotweed-24pp_04.05.18-WEB.pdf