

## Japanese Knotweed liner guidance and installation

This document is based on the Environmental Agency Code of Practice 2006 which was withdrawn in July 2016 but represents the most up to date general guidance available.

### Legislation

In England & Wales there are two main pieces of legislation that cover Japanese Knotweed. Scotland and Northern Ireland have their own managing authorities and local regulations.

#### Wildlife and Countryside Act 1981

Under Schedule 9, Section 14 of the Act, it is an offence to plant or otherwise cause the species to grow in the wild. Section 14(2) of the Wildlife and Countryside Act 1981 states that "if any person plants or otherwise causes to grow in the wild any plant which is included in Part 2 of Schedule 9, he shall be guilty of an offence". (Japanese knotweed is a Schedule 9 listed plant).

#### Environmental Protection Act 1990

Japanese Knotweed is classed as 'controlled waste' and as such must be disposed of safely at a licensed landfill site according to the Environmental Protection Act (Duty of Care) Regulations 1991. Soil containing rhizome material can be regarded as contaminated and, if taken off a site, must be disposed of at a suitably licensed landfill site and buried to a depth of at least 5 metres.

An offence under the Wildlife and Countryside Act can result in a criminal prosecution. 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. You can also be held liable for costs incurred from the spread of Knotweed into adjacent properties and for the disposal of infested soil off site during development which later leads to the spread of Knotweed onto another site.

The Control of Pesticides Regulations 1986 falls outside the scope of the materials provided by Greenfix but would also apply to some aspects of Japanese Knotweed control.

#### Guidance - Requirements on landowners when Knotweed is found

Allowing any Japanese Knotweed to spread from your land could make you liable to third party litigation and/or civil prosecution. If allowed to escape onto an adjacent property an order could be served under nuisance legislation.

Current Environment Agency guidance on Japanese knotweed specifies that landowners must:

- Prevent Japanese knotweed spreading into the wild from their land. Allowing it to do so could lead to a fine of up to £5,000 or a jail term of up to two years.
- Carry out a Control of Substances Hazardous to Health assessment.
- Get permission from Natural England if the area is protected (site of special scientific interest).
- Get permission from Environment Agency if plants are near water.

## Burying & Encapsulation

Greenfix offer a number of solutions for the burying and encapsulation of Japanese Knotweed. This advice relates to these products

You can bury Japanese knotweed at the site where it's produced as long as you:

- Bury it at a depth of at least 5 metres
- Cover the plant remains with a root barrier material that doesn't allow the plant to grow through it
- Make sure that you don't bury any other types of waste with it

Where it isn't possible to bury the plant 5 metres deep, you should wrap a root barrier membrane layer completely around the plant remains and bury it at a depth of at least 2 metres. If badgers and rabbits are present, you should consider deeper burial. The local Environment Agency office will need to be contacted to ensure the material is suitable to be buried and the area plotted onto a site plan for future reference.

A suitable impermeable liner such as Greenfix Knotweed 600 should be used to create the membrane cell, alternatively a triple layer coated barrier can be used.

- Prior to installation, faces of excavation should be uniform and free from sharp objects such as bricks and roots. Plant and machinery should also be prevented from travelling directly across root-barriers as this activity can compromise the integrity of the root-barrier.
- Where removal of all sharp objects is not possible, a suitable geotextile fleece layer should be used to protect the installed root-barrier.
- It is essential that no Japanese Knotweed material migrates to the opposite side of the installed root-barrier during backfilling.
- When installing vertical root-barriers, the root-barrier should be installed on timber sheeting to prevent creasing and ensure uniform installation. This will also help the root-barrier to retain its profile during backfilling.

Root barriers should be installed using the minimum number of joints possible to maintain the integrity of the root barrier. Japanese Knotweed will seek and exploit any weakness in a root barrier installation. For this reason taped joints on any root barrier installation need to be correctly sealed and a suitable double sided jointing tape used.

- Tape seams should have a minimum 1 metre of overlap.
- Clean the overlap to be seamed then apply the tape to the bottom surface.
- The application of heat from a hot air gun can be used in cool weather to make a better seal.
- Flip the top sheet into position while removing the release paper on the tape.
- Press the top lining panel onto the tape using a roller or hand pressure.
- For Japanese Knotweed applications a double layer of tape set 300mm apart is recommended.
- When backfilling seams made with tape or overlaps proceed carefully.
- Ensure that all seams and overlaps are "shingled" in the direction from which the backfill will be pushed.

The guidance given above will also apply to other invasive species such as Giant Hogweed, Mares Tail and Bamboo.