

BEWARE OF JAPANESE KNOTWEED ON CONSTRUCTION SITES

Environmental scientist and founding Director at Environet UK Ltd, Nic Seal, updates us on all things Japanese knotweed



Japanese knotweed is a highly invasive non-native plant that is spreading throughout the UK at an alarming rate. It causes damage to buildings, adds significant delays to construction programmes and can prevent the sale of land. Introduced into the UK around 1850, it is now believed to be in every six mile square area in the UK. Particularly rampant on brownfield sites, railways, rivers and even graveyards, it's notoriously difficult to kill without the help of a professional. Mature knotweed has an extensive underground rhizome system which extends several metres in each direction and deep into the ground, by as much as 3m.



has very significant ramifications for owners of property containing Japanese knotweed, and makes it even more imperative to tackle it correctly, especially in a development context.

Misleading reporting by The Sunday Times

The Sunday Times published an article on the case on 20th February 2017 which reinforced some of the myths about knotweed. For example, it stated that pieces of underground rhizome weighing as little as 0.06g could re-grow, concluding it's impossible to dig it out successfully. It fails to point out that's in ideal laboratory conditions; in the field it requires ten to 100 times more mass to survive and re-generate. Their conclusion that the only way to successfully tackle knotweed is with herbicide treatment is, therefore, based upon a flawed premise.

The truth

The truth is the complete opposite. Whilst it's easy to make knotweed look dead with herbicide, it's very difficult to kill the underground rhizome system in its entirety, and even more difficult to verify with confidence that eradication has been achieved. If one is serious about eradicating the plant within a given timescale, physical removal is the answer. Whilst it might be more expensive per se than herbicide treatment, it's carried out in days not years, has a better success rate, cuts delays and, therefore, overall cost.



If building within an area where Japanese knotweed has been previously treated with herbicide, extreme caution is required. The mere action of disturbing ground during groundworks or landscaping can reinvigorate rhizome made dormant by herbicide treatment, resulting in considerable spread across a much larger area. Removal is often the way forward for development sites.

Landmark judgment against Network Rail

In February 2017 judgment was passed against Network Rail for allowing Japanese knotweed to grow on their land, thereby causing actionable nuisance to adjoining property owners. Network Rail was ordered to pay not only for the treatment, but more interestingly for diminution, the reduction in property



value resulting from the knotweed. Hailed as a landmark case, it

The traditional 'dig and dump' method of removing Japanese knotweed is now referred to by the Environment Agency as 'the method of last resort'. Other eco-innovative alternatives exist, such as Xtract™. Concerned about the environmental impacts of 'dig and dump', Environet UK developed Xtract™ in 2008, as an eco-friendly way to separate knotweed rhizome from soil on development sites. At around half the cost of 'dig and dump', it is now patented in the UK, USA and Canada. Clients can also benefit from it being an on-site remediation method, as it's eligible for Land Remediation Tax Relief. More details including a video of Xtract™ in action are available at www.environetuk.com

Insurance-backed guarantees

It is very important to ensure any removal or treatment comes with an insurance-backed guarantee (IBG), preferably underwritten by an 'A'-rated insurer. IBGs are required by most lenders to mitigate the associated risks of developing sites and properties affected by knotweed. Environet UK offers insurance-backed guarantees for up to ten years as standard on all treatment and removal works, underwritten by a syndicate at 'A'-rated Lloyd's.

Case study – housing development in Smethwick

Environet UK was commissioned to assess a residential development site that had been undergoing a knotweed herbicide treatment programme by another Japanese knotweed specialist for seven years, to check whether the knotweed was eradicated prior to site purchase for subsequent development of fourteen houses.

Upon inspection a number of bonsai shoots of knotweed were noted, indicating that live viable rhizome remained in the ground. The company treating the knotweed agreed that eradication had not been completed, but were reluctant to do anything other than keep treating the knotweed, however ineffective, with herbicide, stating that was all they were contracted to do. The problem being, no time limit was specified to achieve eradication in their contract, in effect causing an unquantifiable delay to any construction work starting on site.

Environet UK recommended an intrusive investigation to determine both the area and depth of viable rhizome, and to determine how effective the seven years of spraying had been. It wasn't a great surprise to find bright orange healthy rhizome just under the surface penetrating into the ground to a depth of around 1.5m. The herbicide treatment clearly had not worked, the condition of the knotweed meant that any future herbicide treatment would not work, leaving physical removal the only viable option.

Cost estimates of between £250,000 for Xtract™ and £500,000 for 'dig and dump' made the site uneconomic to develop. The owner was unwilling to lower the price to reflect the knotweed liability left by the

company treating the knotweed, so the purchase did not proceed. It's understood that the land is still for sale, with no guarantees on offer!

This debacle illustrates the importance of checking out the knotweed liabilities prior to purchase, making sure the right remediation company and method is employed from the outset, and that validated insurance-backed guarantees are in existence that can be assigned to the new owner.



How to identify Japanese knotweed

With spring fast approaching, knotweed shoots will soon appear, rapidly growing from a plant that resembles asparagus, into a dense thicket of knotweed 3m tall or more by June. It is important that you can identify knotweed, so that you can ensure it is dealt with correctly. Environet offers a knotweed identification service – just e-mail your photo to expert@environetuk.com and they will confirm one way or the other. It's a free service, although a small donation to help one of the chosen charities on the Environet Just Giving page (<https://www.justgiving.com/teams/environetuk>) would be appreciated.

● Environet offers a free consultancy service to property professionals who need assistance with specifications and costing information. Call 01932 868 700. Web: www.environetuk.com

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