



DEVELOPMENT AND INFRASTRUCTURE SERVICES

POLICY FOR CONTROL OF INVASIVE NON-NATIVE PLANTS AND INJURIOUS NATIVE SPECIES

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1. POLICY STATEMENT AND INTRODUCTION

Argyll and Bute Council is committed to the protection of its assets, and by extension the local economy and environment, from the adverse effects of invasive non-native species (INNS) and injurious natural weeds

This policy document sets out the policy framework through which Argyll and Bute Council will underline this commitment consistently across the council area.

The Council has duties as both a landowner and Roads Authority in relation to INNS and injurious natural weeds. These duties are enshrined in key pieces of legislation:

- The Weeds Act 1959;
- The Wildlife and Natural Environment Scotland Act 2011(which amends the Wildlife and Countryside Act 1981); and
- The Roads Scotland Act 1984.

2. SCOPE

This policy covers both non-native invasive plants as well as harmful native species, and summarises the Council's role both as a landowner and as a Roads Authority, although it should be noted that while these responsibilities are looked at separately, there can of course be some overlap.

3. MANDATORY CONTROL

Control will be carried out if the Council as a landowner is required to do so under Order by Scottish Ministers

4. DISCRETIONARY CONTROL

As a landowner, the Council will consider control methods on Council-owned land only.

As a Roads Authority, the Council can also, by virtue of the powers conferred upon it by Part VIII (Interference and Damage) of the Roads (Scotland) Act 1984, take reasonable measures to prevent obstruction of view, general obstruction and roadside dangers. This can include serving notice on a landowner requiring them to remove obstructions etc. The Council can also take action to remove obstructions itself and to recover any costs incurred in doing so.

Control methods will only be employed when it can be reasonably demonstrated, after a risk assessment, that the plant or weed:

Either:

- Poses a significant risk to human health/public safety. Only a very limited number of species cause a risk to human health – principally Giant Hogweed – and these will be considered a risk where they are found at locations which can be considered to be commonly frequented by at risk groups e.g. schools and playgrounds; or

- Poses a significant risk to infrastructure; or
- Poses a significant risk to the environment.

And:

- A clear objective is in place. Eradication could be the objective, but this may not be possible in some circumstances, in which cases limits for containment should be set

And:

- The long-term resource implications of control are both understood and accepted

And:

- Long-term monitoring is in place to assess the effectiveness of control measures.

5. EXCEPTIONS TO THE DISCRETIONARY CONTROL PROTOCOL

- The Council will control species on private property if the landowner can effectively demonstrate that the species is present as a direct result of activities carried out by the Council or Council negligence, but only when:
 - The species poses a significant risk to human health; or infrastructure; or the environment.
- The Council may, at its discretion, control species on private property if the costs of control are covered by external funding.
- The Council may take steps to eradicate species even if they currently pose no risk to human health, infrastructure or the environment if there is a high risk of spread and eradication can be carried out quickly, with minimum resource implications and a high likelihood of success, which will potentially avoid revenue pressures in the future

6. PUBLIC ENQUIRIES/REQUESTS

The Council will respond to reports of weed infestations on Council-owned land, assess, determine what, if any, work is required on the basis of the discretionary control protocol outlined in this document, and carry out any necessary spot treatment.

The initial response time for physical assessment will depend on an initial assessment of the circumstances as outlined in the enquiry, and the resources which are available at any given time. It is not possible to give a specific timescale for the physical assessment as it will be determined on a case by case basis depending on the information provided.

Partnerships

The council may, from time to time, if there are invasive plants in an area which do not meet the prioritisation test, but are determined by the community to be a local priority, enter into partnerships with community groups to progress control measures.

These partnerships would be determined on a case-by-case basis, and be subject to a formally executed Minute of Agreement or similar device, with the roles and responsibilities of both parties clearly defined.

The council's role in any partnership would be in an advisory and training capacity only.

7. TREATMENT/CONTROL METHODS

Treatment can vary from chemical spraying to cutting, and can include either mechanical or hand pulling, depending on the specific plant, with treatment methods and schedules determined on a case by case basis.

Other factors which inform the control programme include weather conditions and the amount of associated debris which is present or may be produced.

Control methods which could be used include:

High volume application – *treatment using knapsack or vehicle mounted sprayer and suitable approved chemical mixed with water.*

Ultra-low volume application - *treatment using appropriate chemical formulation (no water mixing).*

Weed wipe – *using the appropriate chemical mixed and wiped on leaves using approved equipment.*

Stem injection – *using appropriate chemicals mixed and injected into stems, using approved equipment*

Physical control – *pulling and either stacking for composting on site or bagging and removing depending on the plant itself*

Timing and frequency of treatment

A site specific assessment will be carried out to ensure the effective control of the offending species.

In general, treatments will be made before flowering and setting of seed or when plants are approaching senescence, which will allow the chemical to be drawn down into the roots.

In most cases the first application will kill the vast majority of the invasive plant, and thereafter a watching brief will be maintained, with appropriate control measures deployed in subsequent growing seasons to ensure total eradication.

Any overall treatment plan will be quality driven and outcome focussed, rather than specifying a fixed number of a specific type of treatment.

Control versus eradication

Control can take several years to achieve, with eradication taking longer still, and it may not even be possible or proportionate on some sites.

8. OUTLINE SCENARIOS

Within the road corridor (Council-land)

Where the extent of the verge is marked by a wall, ditch, fence or other obvious barrier, and if this is within two metres of the edge of the road, the most appropriate control methods, as determined by the Council's qualified staff, will be employed within that defined location.

Where there are no obvious barriers, appropriate site control methods will be employed along a two-metre strip from the edge of the road.

Affecting the road corridor (private land)

Where the foliage is interfering with or damaging the road network, but the source is on private land, the Council will act in accordance with its power under Part VIII of the Roads (Scotland) Act 1984. In general, this would initially involve contacting the landowner requesting that they take action to remove the problem. If the owner does not remove the problem voluntarily the Council does have the power to serve notice and to take action to remove and recover its costs.

On amenity land near grazing animals

The most appropriate site control methods will be employed where there is a risk of weeds spreading to land used by grazing animals, containing and controlling the issue within a specific site

Parks, open space and recreational land in council ownership

Unless there is a clear danger to public health these areas will not be given priority. If there are harmful plants identified and categorised, then appropriate control mechanisms will be put in place, as part of a structured treatment programme.

Vacant sites in Council ownership

The same principles as parks, recreational and open spaces apply, only any work will be subject to the council's normal internal recharge and consent process

Shorelines and waterways

Site specific solutions will be implemented in situations where any obstruction is likely to cause flooding.

9. ASSET/RECORDS MANAGEMENT

Unless subject to an Order by Scottish Ministers, there is no legal requirement for the Council to record and notify of the location of INNS or injurious natural weeds.

It is, however, considered to be good practice to identify and record instances of these species which may give rise to potential problems as part of an overall approach to asset management.

These records should be updated and exchanged with partners on a regular basis.

10. MEASURING EFFECTIVENESS

The effectiveness of this policy will be measured in the quality of the response to reported issues, with the overall treatment regime to be reviewed and reported back to committee on a three-year cycle.

*******ENDS*******