



**Scottish Natural Heritage**  
**Dualchas Nàdair na h-Alba**

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

**PE1586/E**

By email:

Ms Sigrid Robinson  
Assistant Clerk  
Public Petitions Committee

19 January 2016

Dear Ms Robinson

**CONSIDERATION OF PETITION PE1586**

Thank you for your letter of 16 December 2015 seeking SNH's view on the petition and clarification of our role and powers in enforcing legislation on the invasive non-native plants: Japanese knotweed, giant hogweed and Himalayan balsam.

These plants are widespread and common across the lowlands of central and eastern Scotland. They are most common on river banks, but can be found almost anywhere, particularly on waste ground or alongside roads and train tracks. They are a risk to the environment because they form dense stands and out-compete native plants. When they die back in winter, the bare soil may be exposed to erosion by water.

Control of these plants must be carefully coordinated, not least because they spread easily along watercourses downstream. For this reason control projects often involve surveying whole river catchments followed by a programme of control that begins at the top of the catchment and works its way down. An approach like this minimises the risk of re-colonisation by the plant after control work has been carried out and maximises the value of the resources deployed. By contrast un-coordinated control work can result in wasted effort and resources.

Official statistics for 2015 show that invasive species were the single greatest threat to the condition of protected nature conservation sites. However, only 4% of the conservation features threatened by invasive species were adversely affected by Japanese knotweed, giant hogweed or Himalayan balsam. Pressures from other non-native species (such as rhododendron, sycamore and Canadian pondweed), and native species (such as bracken and gorse), were recorded much more frequently as threats.

The Lower River Spey - Spey Bay Special Area of Conservation (SAC) is one of the sites under pressure from giant hogweed, as well as Japanese knotweed and Himalayan balsam. We understand that a small amount of control work is carried out around path networks and amenity spaces, but a significant investment is needed to control the extensive stands of giant hogweed that have been established over a long period of time. Our local operations' officer in Elgin advised the Innes Community Council about this in October 2014. We are currently working with the Rivers and Fisheries Trusts of Scotland to develop funding options for controlling invasive plants on the lower River Spey and other rivers in the region.

## **SNH's Role**

*The Code of Practice on Non-Native Species* sets out a framework of responsibilities for bodies that have powers relating to non-native species in Scotland. SNH is the lead for issues relating to non-native species on land, including the invasive non-native plants identified by the petition. Our principal role is one of co-ordination and advice; we encourage or coordinate action by other groups or bodies, as well as providing support and guidance via our website and our network of local offices. We are charged with establishing overall priorities for dealing with invasive, non-native species and, where necessary, ensuring that an appropriate strategy is developed and promoted. In doing so, we work closely with the Non-Native Species Action Group and take account of the views and expertise of stakeholders.

In 2008, the Rivers and Fisheries Trusts of Scotland began an invasive species biosecurity programme with funding from SNH and the SEPA Restoration Fund. Biosecurity Plans have been prepared by 23 of the local Fisheries Trusts with geographic coverage for 90% of Scotland. The plans assess the risks posed by invasive non-native species already present in the river catchment, as well as those that have yet to become established.

The Fisheries Trusts and others have established invasive plant control programmes on most of the major rivers covered by these Biosecurity Plans. On some rivers, such as the Tweed, populations have already been reduced to very low levels. On others, control is at an early stage and concentrated on the upper parts of the catchment. Funding comes from a wide variety of sources, including: government agencies, the European Union (INTERREG IVa), the Heritage Lottery Fund, the Landfill Communities Fund, local authorities, charitable trusts, land owners and businesses. We estimate that over £3 million has been spent on controlling invasive non-native plants on rivers in Scotland since 2005.

Under the Scotland Rural Development Programme, land managers can apply for funding to control Japanese knotweed, giant hogweed and Himalayan balsam through the Agri-Environment Climate Scheme. This funding is targeted at river catchments where statutory monitoring programmes show that protected nature conservation sites and river banks are most at risk. Funding is also available through the Environment Cooperation Action Fund to help plan and coordinate invasive plant control across entire river catchments. The cooperation fund was launched in October 2015 and, at the time of writing, our staff are assessing the first round of applications for coordinated control of invasive non-native plants.

## **SNH's Powers**

SNH has powers under the Wildlife and Countryside Act 1981 to make Species Control Agreements and Orders, which can require a land owner to take action in relation to a particular invasive species. For example, in 2015, we entered into a Species Control Agreement to support the giant hogweed control project on the Allan Water. If necessary Species Control Agreements can be backed-up with a compulsory Order. However, in the vast majority of cases we are able to secure action on invasive plants without resorting to using Species Control Agreements or Orders.

We apply a test of reasonableness before using these powers to ensure that they are used fairly and proportionately, for example to prevent an invasive species from becoming established in the wild. For species that are already widely established in Scotland, our policy is to use these powers sparingly; for example, where the success of a coordinated control programme is jeopardised by a lack of action on a particular land holding. Control work carried out on a piecemeal basis risks re-colonisation, which can result in wasted effort and resources.

SNH believes that we have the legislative tools in Scotland to deal with invasive non-native species. We consider that the voluntary approach, backed-up by the ability to issue compulsory Species Control Orders, is the best way to secure the necessary cooperation between neighbouring land-owners. However, there is always more that can be done to better coordinate work that involves so many different organisations. As part of our role in providing leadership for the Scottish Biodiversity Strategy we are working towards developing a more strategic response to invasive non-native plants by public and private organisations right across Scotland.

If there are any questions about this response, please do not hesitate to get in touch with us via SNH's Government Relations team ([SNHGovernment\\_Relations@snh.gov.uk](mailto:SNHGovernment_Relations@snh.gov.uk)).

Yours sincerely,

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