

Innes Community Council

PE1586/F

Michael McMahon, MSP,
Convenor,
Public Petitions Committee,
Scottish Parliament,
Holyrood,
EDINBURGH,
EH99 1SP

11TH February, 2016.

Dear Mr McMahon,

Petition Number 1586: Statutory Control of Invasive Non-native Species

Please find enclosed the response from Innes Community Council to the responses to our Petition. I attach two photographs that may be of interest to the Committee when discussing our response. As they will see from the date stamps, these photographs were taken a few weeks ago on the banks of the River Spey. That area was subject to flooding in December, 2015 and the debris from last year was completely washed away spreading seed further downstream. The plants showing are the 2016 re growth of Giant Hog Weed. Note that last year's growth of Giant Hog Weed had choked out all other plant life. In full bloom this year's growth will achieve a height of between 8 and 10 feet.

Innes Community Council members wish to thank you and your committee for accepting our Petition and for what we see as your positive response to it. For clarity, the object of our Petition is to ask that the Scottish Government to amend the current legislation or to bring in new legislation making it an offence for landowners not to kill off Giant Hog Weed and Japanese Knotweed. In meeting that request we ask that there be scope for the legislation to be amended at a later date to cover all or any other INNS that maybe causing major problems not resolved under the current legislative protocols. Our reason is that the current legislation and procedures/protocols in relation to Giant Hog Weed and Japanese Knotweed is not working.

We note that the five respondents to your Committee are all funded from the public purse. The Government, SEPA and SNH from taxation, while the Scottish Wildlife Trust and the RSPB are funded by public donations, fund raising events and Government grants. SEPA and SNH quote figures of between £1.5 and £3 million pounds that have been given out in grant money in recent year to various charitable organisations (including Rivers and Fisheries Trust of Scotland). Neither mentions the additional costs of management and administration of the grant process for these publicly funded organisations. At a time when public sector spending on essential services is being cut, we believe that public sector money and time should not be spent carrying out work that should be done by landowners who, in the main, have allowed the spread of Giant Hog Weed and Japanese Knotweed to go unhindered. As part of further consultation it may be of interest for your committee to enquire of the Scottish Government, SEPA and SNH how many man hours are invested in determining grant applications by them and various voluntary sector organisations including negotiations of SCA and SCO orders with land owners. It may be informative to enquire of voluntary/charities how many man hours and at what total financial costs they endure trying to obtain grant money, negotiate treatment regimes with land owners as well as the number of man hours (both paid and unpaid) involved in actual treatment programs of infected areas.

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In our own area for example, we know one Charity obtained £5000 of a grant from the public purse in 2015. That was added to by a landowner. Weed killer costs were approximately £100 for the area treated. There was a total of 19 man days involved in spraying approximately 10 acres of an area that has over 120 acres contaminated with Giant Hog Weed and Japanese Knotweed. It appears that total costs were about £50 times the cost of chemical used. Each acre of land treated would have required 20 refills of the 20 litre knapsack sprayers carried by those doing the treatment. River and Fisheries Trust of Scotland and the Wildlife Trust are two large voluntary sector charities that do much work using grants and other publically donated money to try and control these two major weeds. Their accounts may be able to give accurate costs for such organisations. We would suggest that the costs per acre of treatment regimes carried out under publically funded programs are far higher than if carried out by land owners on their own property.

Some of the responds mention that it is too costly for landowners to treat such INNS, yet they seem to think it is alright for the public purse to cover the costs. The statutory bodies have had a number of years to encourage landowners to treat INNS through voluntary programs supported by grants from the public purse. That approach has failed miserly. Only a very small percentage of contaminated areas in Scotland have been treated by voluntary organisations and then only for a short period of time whereby total eradication has not occurred. Land owners have the skills and equipment to treat large areas of contaminated land quickly and cost effectively. Eradication programs require a minimum of 5 years, a period that grants from the public purse and volunteer time cannot sustain.

From the responses from the Scottish Government, SNH and SEPA, there appears to be a number of different pieces of legislation that are linked to each other. They all seemed to be promoting “voluntary agreements” with landowners. Most disheartening is the statement that it is not the policy of the Scottish Government to enforce these various regulations. All five respondents about our Petition admit that INNS are a major problem in Scotland. All, admit that Giant Hog Weed and Japanese Knotweed are the two worst INNS in the current environment, yet none of the statutory bodies or the Scottish Government seem to think that direct action should be taken against those landowners who do not treat or control Giant Hog Weed and Japanese Knotweed. Why is it a criminal offence to transport and/or plant such species yet not considered a criminal offence to fail to treat such problem plants? Untreated they spread to other land.

Giant Hog Weed and Japanese Knotweed grow freely on river banks and other water courses. By the very nature of plant multiplication, their seeds and routes are transported from one area to another, especially in floods. By not treating/controlling such plants on their lands, these errant landowners are by default allowing the transportation of seeds and plants to other areas during weather events, events that are increasing in both occurrence and severity.

We believe that if failure to treat Giant Hog Weed and Japanese Knotweed was made an offence, those landowners who do try and control it would have a persuasive tool to force other landowners to control and eradicate these problem weeds. At the moment it is convenient for the Statutory Agencies and errant landowners to say they cannot treat until other landowners (mostly upstream) start treating on their lands. The current legislation and Government policy is not effective.

Yours sincerely,

James A Mackie, Secretary to Innes Community Council



2016/02/07



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