

Japanese Knotweed

Japanese knotweed is an invasive non native plant and was introduced from Japan in 1825. The plant is not unattractive but its rapid annual growth and relentless spread, allows it to easily overwhelm other plants and destabilise buildings and structures.

Japanese knotweed begins to grow in early spring and can grow in any type of soil, no matter how poor. It can grow as much as 20 centimetres per day, and can reach a height of 1.5 metres by May and 3 metres by June. It does not produce seeds, but instead spreads through rhizome (underground root-like stem) fragments and cut stems.



Japanese knotweed

- produces fleshy red tinged shoots when it first breaks through the ground
- has large, heart or spade-shaped green leaves
- has leaves arranged in a zig-zag pattern along the stem
- has a hollow stem, like bamboo
- can form dense clumps that can be several metres deep
- produces clusters of cream flowers towards the end of July
- dies back between September and November, leaving brown stems

Advice and Information

Guidance published by the Department for Environment, Food and Rural Affairs setting out your

legal responsibility for dealing with Japanese knotweed, other invasive plants and how to remove and dispose of them can be found at: <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

- It is not an offence to have Japanese Knotweed on your land, but it is an offence under the Wildlife and Countryside Act, 1981 to allow the spread or not control Japanese Knotweed.
- While a local authority can act in certain circumstances there is no statutory duty to deal with JN on private land. The large investment of time and resources that would be required by a Local authority means that it will not normally be the case that we will intervene legally.
- It is not a notifiable weed under Weeds Act 1959, so there is no need to inform us
- Japanese Knotweed is a controlled waste and must go via a licenced waste carrier to an authorised landfill
- Do not compost, mow or put Japanese Knotweed into garden bins
- It is likely to require specialist treatment and typically, such treatment can take up to 3 years to make it dormant.

- The Council can not give legal advice to members of the public, but we would recommend you seek independent legal advice from Solicitors as you may well have a private remedy against a neighbour who is allowing JK to spread on to your property.

The Anti Social Behaviour Crime and Policing Act 2014 introduced powers whereby a local authority MAY take action in relation to Japanese Knotweed. Under these provisions, there is no statutory duty where a local authority must take action. This is also the case under the Infrastructure Act 2015

Japanese Knotweed is a complex issue and we recommend that it should be managed by specialists. Specialist advice should be taken in relation to its management or eradication. You should take legal advice about what your rights are in relation to the JK spreading. Mediation may be helpful where the issue is not resolved and a possible precursor to private or civil action.

Where Japanese Knotweed occurs on Council land, it should be notified to our City Parks team who can take the necessary action - cityparks@brighton-hove.gov.uk

Useful signposts utilised by others and to include on any webpage

- https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296930/LIT_2695_df1209.pdf
- <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>
- <https://www.rhs.org.uk/advice/profile?pid=218>
- <http://www.cabi.org/projects/project/32999>
- Natural England