

# Invasive Species and the Law

## Legislation relating to Invasive Species

### INTRODUCTION

There are a number of laws relating to Invasive Non-Native Species which all landowners should be aware of and the associated implications for land management.

In the UK, the primary aim of legislation is to prevent the spread of INNS.

#### 1. The Wildlife & Countryside Act 1981

For the UK, this is the primary legislation with regards to INNS.

**Under the Wildlife and Countryside Act (WCA) it is illegal:**

- to plant, or otherwise cause to grow in the wild, any plant listed in [Schedule 9](#) to the Act.



#### How does this affect you?

All of the key invasive non-native plants found on the Wandle are listed in Schedule 9, as well as many that are not yet present on the river.

The **Big Four** (Japanese knotweed, Himalayan balsam, floating pennywort and giant hogweed), as well as New Zealand pigmyweed, giant rhubarb and parrot's feather, are listed on Schedule 9.

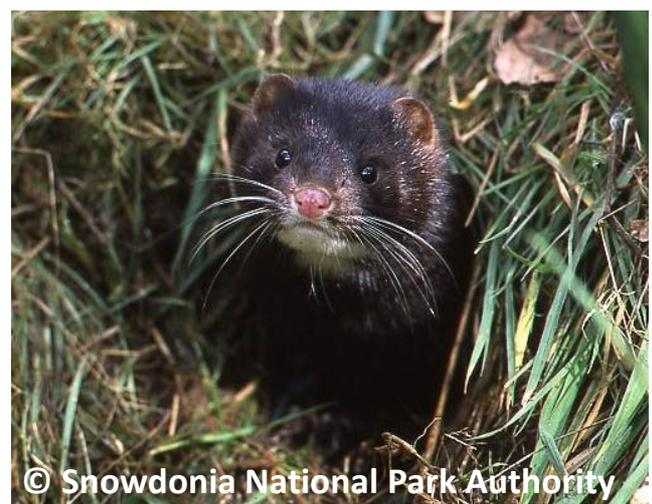
Therefore, if you have any of these present on your land, **it is your responsibility to ensure they do not spread into the wild**. The most effective way to ensure this is to actively manage and control the plants.

To see all species listed on Schedule 9, [click here](#).

#### What about Invasive Non-Native Animals?

The Wandle INNS Action Plan is focused on invasive non-native plants, however legislation also applies to invasive animals such as the American mink and signal crayfish.

Under the WCA, it is also illegal to release, or allow to escape into the wild, any animal which is not ordinarily resident in Great Britain and is not a regular visitor to Great Britain in a wild state, or is listed in Schedule 9 to the Act.



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### 2. The Environmental Protection Act 1990

The correct disposal of INNS plant material is vital in order to avoid the risk of spreading the species beyond the site/location.

Under the Environmental Protection Act (1990), soil or other waste containing Schedule 9 plant species material (live biomass, seeds, fruits, flowers) can be classified as Controlled Waste and must be disposed of at a landfill site that is authorised to accept it.

The person or organisations transporting INNS waste, that has been generated as a result of management actions, must be [register as a lower tier waste carrier with the Environment Agency](#).

**If possible, it is always best to leave INNS waste on site to decompose.**

This removes the risk of transporting and the accidental further spread of the species.

The removed biomass of all invasive non-native plants, covered by the Wandle Invasive Species Plan, can be left to rot down and decompose on site as long as:

1. The pile is away from public access to reduce the risk of people coming to harm (from giant hogweed waste as an example) and to prevent walkers accidentally spreading the plant by foot.
2. The pile is not at risk of being washed back into a watercourse by the rain.



### 3. Anti-social Behaviour, Crime & Policing Act 2014, & Community Notices

Local councils and the police have the power to issue Community Protection Notices against “individuals who are acting unreasonably and who persistently or continually act in a way that has a detrimental effect on the quality of life of those in the locality”. This could be applied to the management of invasive non-native species.