

Committee:	Date:
Open Spaces	2 nd February 2015
West Ham Park	2 nd February 2015
Epping Forest and Commons	9 th March 2015
Hampstead Heath, Highgate Wood and Queen's Park	23 rd March 2015
Subject: Infrastructure Bill	Public
Report of: Remembrancer	For Information
<p><u>Summary</u></p> <p>This report advises the Committee of the relevant provisions of the Infrastructure Bill, currently before Parliament, which will introduce a new regime to facilitate the control of non-native invasive species. Under this regime, Government bodies will be able to enter into voluntary agreements with landowners, setting out what measures are to be taken in order to eradicate or control an invasive species. Where the voluntary process is unsuccessful, it will be possible to make binding orders requiring the landowner to take action or to pay the costs of doing so.</p> <p>Recommendation:</p> <p>It is recommended that the Committee receive this report.</p>	

Main Report

1. The Infrastructure Bill was presented to Parliament last summer and is expected to be enacted this spring. Among other measures, the Bill will introduce a new regime to facilitate the control of non-native invasive species. The regime may be invoked in relation to any non-native species of flora or fauna which is liable to have a significant adverse effect on the environment. It is of potential application to the City Corporation's open spaces.
2. Under the new provisions, the Secretary of State, Natural England, the Forestry Commission and the Environment Agency will each be empowered to enter into voluntary "species control agreements" with landowners. Such agreements will set out what measures are to be taken to eradicate or control a non-native invasive species, who is to carry them out, and who is to pay for them.

3. Where a species control agreement is rejected or not complied with by the landowner, or in urgent cases, the bodies referred to in paragraph 2 above will be able to take remedial action in the form of a “species control order.” Such an order will either require the landowner to take specified measures to eradicate or control an invasive species, or enable the authority concerned to carry out those measures itself and to recover the costs of doing so from the landowner. There will be a right of appeal to a Tribunal against a species control order. The Government has indicated that it expects this power to be invoked only rarely.
4. The Director of Open Spaces has been consulted during the preparation of this report and commented as follows on the operational implications of the new legislation:

“Across the Open Spaces a range of non-native invasive species occur, more often in small areas but occasionally over a significant part of the open space. The main invasive species which we have to manage include:

- a. Himalayan Balsam (*Impatiens glandulifera*) – a fast-growing annual, spread by seed, related to the Busy Lizzie but capable of growing to head height. It was introduced to the United Kingdom in 1839 and is especially a problem on riverbanks and areas adjacent to human habitation.
- b. Swamp Stonecrop (*Crassula helmsii*) – related to the Jade plant, *Crassula ovata*, this is an aquatic or semi-terrestrial species which grows on the margins of ponds. However, it can often completely carpet the surface.
- c. Japanese Knotweed (*Fallopia japonica*) – a large, herbaceous perennial plant with a very invasive root system and an ability to damage structures and buildings.
- d. Giant Hogweed (*Heracleum mantegazzianum*) – this plant can grow to 20ft in height and contains a toxic sap.

“The approach to managing these varies depending on the site, its location with respect to other plants, public access, and site designation. At most sites, we are already undertaking control measures, so it may be the case that government agencies would choose to work with us rather than implement formal agreements.”

Recommendation:

5. It is recommended that the Committee receive this report.

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