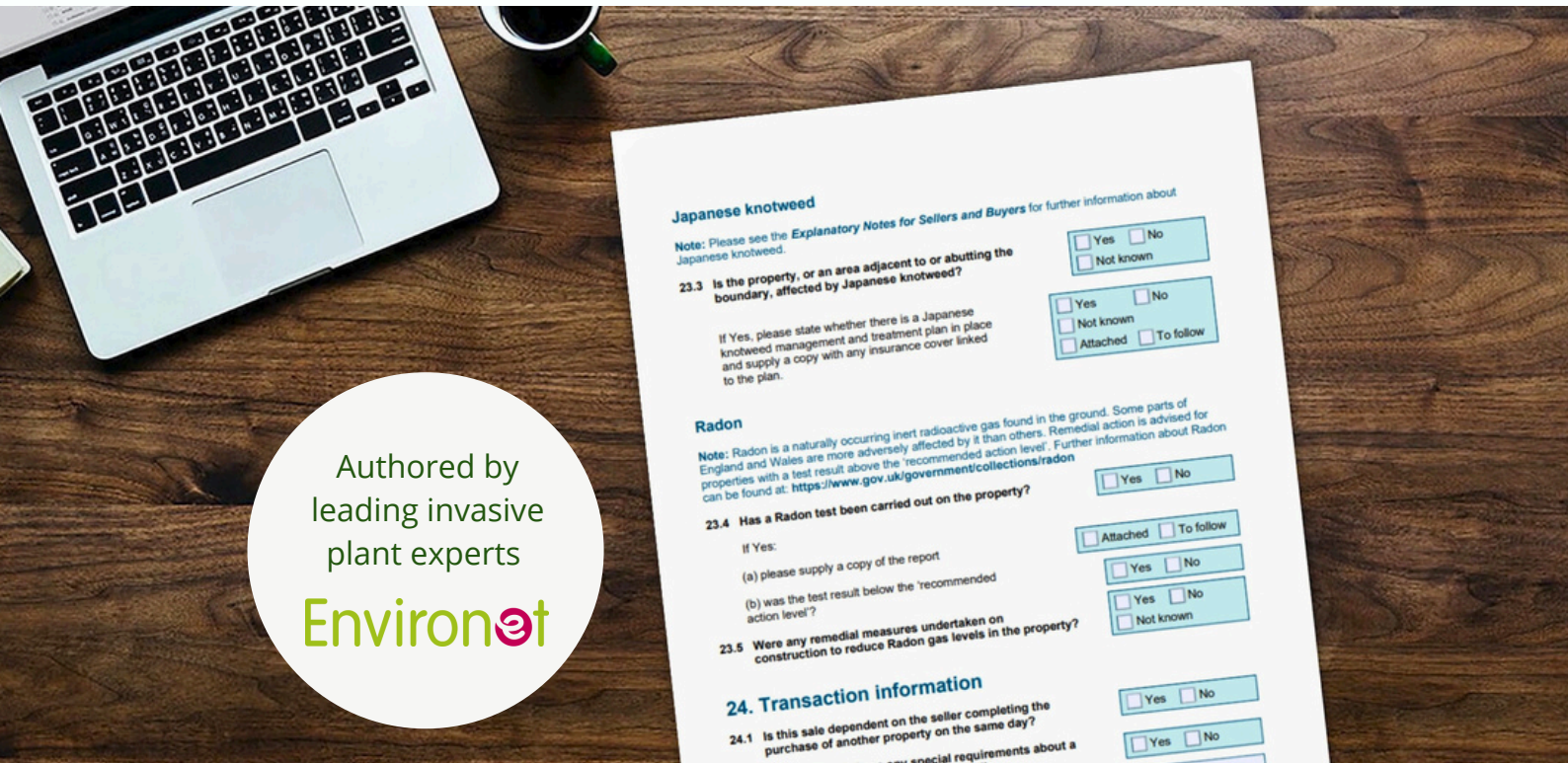


# Beacon

Invasive Plant Intelligence



Authored by  
leading invasive  
plant experts

Environet

## Buyers are bearing a greater burden when it comes to knotweed checks

*The TA6 form is invaluable for flagging up known infestations of Japanese knotweed and providing a route to legal recourse where a seller has answered dishonestly.*

*But a rise in the number of 'Not known' responses in recent years has left buyers in the dark when trying to understand knotweed risks. We look at the pitfalls and the solutions for conveyancers helping their clients navigate an indefinite response.*

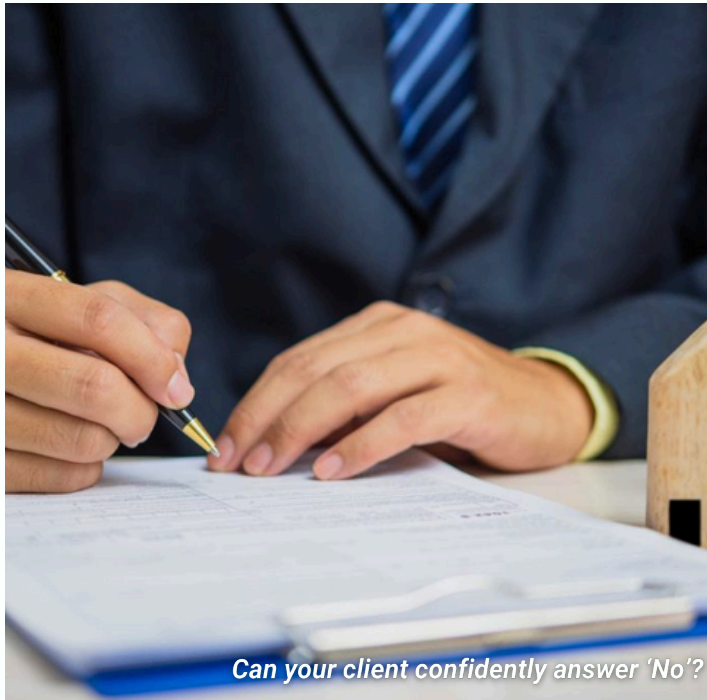


Knotweed in a neighbouring property

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Can your client confidently answer 'No'?

Based on our historical data over almost 30 years of operation and an annual consumer survey conducted with YouGov, we estimate that 4 to 5% of the UK's houses are impacted by Japanese knotweed, either directly or indirectly.

In addition to a RICS survey, the TA6 form has long been an effective backstop protecting buyers from knotweed risk, forcing sellers to confront the issue by stating, in a legally binding document, whether or not they believe the plant to be present. For years, the guidance simply said; "The seller should state whether the property is affected by Japanese knotweed", but since 2020, in order for a seller to tick 'No' to the TA6 form's Japanese knotweed question, they must "be certain that no rhizome (root) is present in the ground of the property, or within 3 metres of the boundary, even if there are no visible signs above ground" – a much more difficult question to answer.

## Yes, No or Not Known?

Clearly if knotweed is visible or if the seller is aware of its presence, then the answer should be 'Yes'. But the vast majority of sellers aren't, and cannot be, certain because of two problems: firstly, the risk of dormant knotweed rhizome hidden in the ground which could start to regrow if disturbed by gardening or building work; and secondly, the risk of knotweed being present and not visible on adjoining land which is beyond the jurisdiction of the seller.

Even if they have never seen Japanese knotweed on or near their property and have no reason to believe it's present, from a legal perspective it's very difficult for anyone to confidently answer 'No' to the above question without digging up the garden – and their neighbour's too. To reduce the risk of a legal case against them in the future, the safer option for sellers is to respond 'Not Known', leaving the buyer to undertake their own enquiries.

*"Considering how expensive it is to buy a property, including stamp duty, conveyancing and surveying costs, it's unlikely the Law Society intended to place an additional cost burden on buyers when the knotweed question was reworded, but in many cases that is what's happened."*

**Emily Grant,**  
Director of Operations



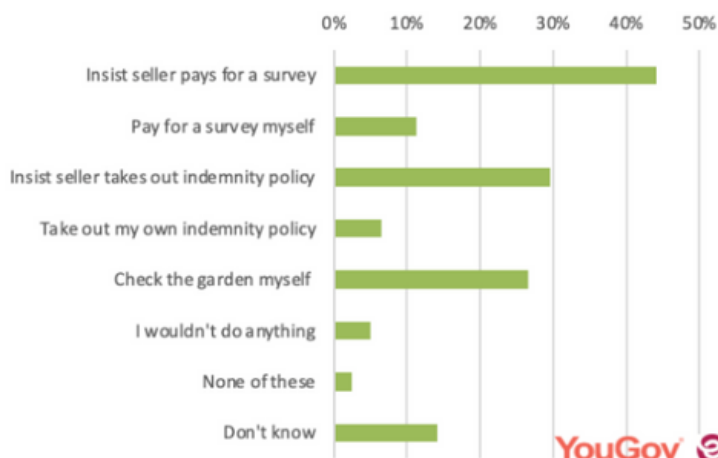
Knotweed emerging on disturbed ground

## YouGov research shows buyer concern around 'Not knowns'

Our annual consumer survey with YouGov, undertaken in March 2025, indicates that only 5% of people buying a property would ignore a 'Not known' response to the Japanese knotweed question.

More than four fifths (81%) would take some kind of action, such as commissioning a professional knotweed survey, insisting the seller takes out an indemnity policy to cover them if knotweed is later discovered, or even attempting to check the garden themselves.

How buyers would respond to a "Not known" on TA6



An early and decisive approach paid dividends for a developer client in Cornwall, who was able to review his plans in order to provide a designated area for excavated and filtered soil to be reused following Xtract™ treatment. Located well away from the future homes, this area formed part of the landscaping, ensuring full compliance with planning conditions and enabling us to easily monitor for potential regrowth over the course of the construction phase.

Delaying decision-making until after groundworks or building works have begun significantly reduces the options available – particularly on smaller sites – often resulting in developers being restricted to off-site methods, thereby incurring significant haulage and landfill disposal costs.

With the help of **Bold Legal Group**, we asked conveyancers for their insights on advising buyers and sellers on the TA6 Japanese knotweed question.

Here's what they said ...

“

I find most sellers continue to state 'No' to the knotweed question and the lawyer frequently attempts to vary that response with a standard paragraph in the covering letter.

”

“

We advise our clients to say 'Not known'. If they answer 'No', I usually call them and explain and ask them if they want me to amend it.

”

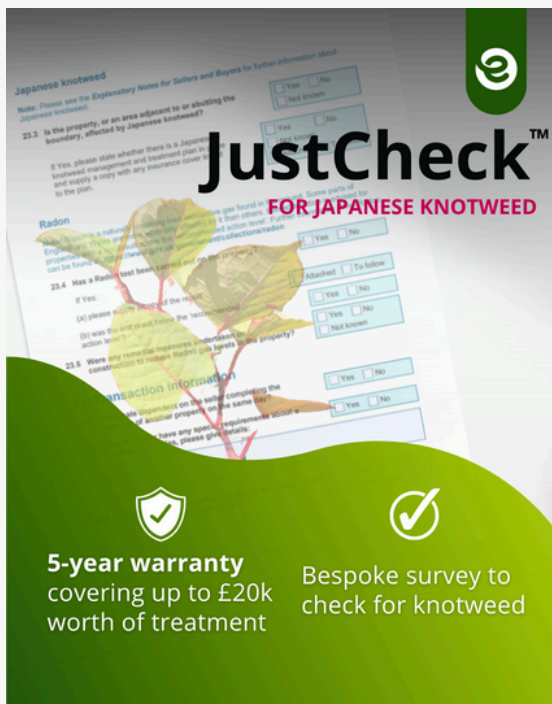
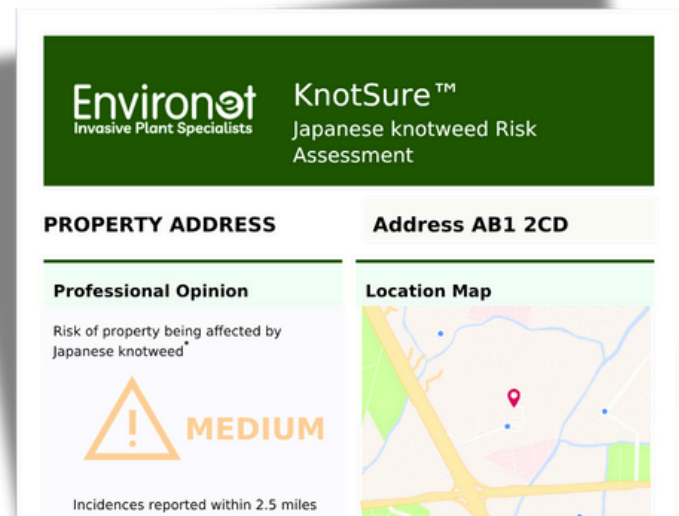
“

We advise our clients to put 'Not known' unless there's no garden whatsoever or they are experts!

## Tools that can help homebuyers and their advisors

**Knotsure™** is a low-cost desktop report allowing property professionals to instantly assess the likelihood of a property being affected by Japanese knotweed ahead of committing to a physical on-site survey.

Based on data from Environet's heatmap, which is populated with over 100,000 known infestations of knotweed across the country, the report provides a risk rating ranging from High to Medium to Low, including the number of known incidences within 2.5 miles of the address, a regional ranking and an indicative property value impact assessment.



**JustCheck™** is a bespoke Japanese knotweed survey aimed at customers who are unsure whether or not a property is affected by knotweed and want a high level of certainty before completing the TA6 form. It also offers peace of mind to buyers who have received a 'Not known' response and want to investigate further before proceeding with their purchase.

Our expert surveyors will check the property for any sign of knotweed, and where possible on adjoining land within 3 metres of the boundary. As it's still not possible to be 100% certain that knotweed rhizome is not present beneath the ground, the report includes a 5-year warranty to cover the cost of up to £20,000 of treatment in the unlikely event the plant should later appear.

**Japanese knotweed Indemnity Insurance** is available for properties not known to be affected, to provide protection against the future infestation of knotweed anywhere on the property.

If knotweed does appear, the policy covers the cost of a survey, treatment, any repairs to the property and legal defence from third party claims.





## Summary

The 2020 revisions to the wording of the TA6 Japanese knotweed question have, in our view, created more uncertainty for buyers and increased the burden of investigation on them, when ultimate responsibility for determining whether a property is affected by knotweed should lie with the seller. Guidance from conveyancing professionals is increasingly vital in helping sellers understand the potential legal risks of answering 'No' - and ensuring buyers understand the options available to mitigate the risks associated with an uncertain response.

*Authored by experts, Beacon is a series of quarterly information papers providing insights into the removal and treatment of invasive plants in the UK. Sign up to receive future Beacon articles [here](#).*



*Knotweed can blight a property*

## Further information



[Residential Japanese knotweed solutions](#)



[Beacon: Mitigating the risks of Knotweed misrepresentation](#)



[Guide: Buying and selling knotweed affected property](#)

## About the author



### **Mat Day, Finance and Technical Director**

**BSc (Hons) Geography and Natural Hazard Management | Expert Witness**

Mat joined Environet in 2013, starting hands-on in the field and progressing to Director of Technical and Finance. He oversees both departments, supporting company growth and ensuring technical excellence in invasive plant management.

As an Expert Witness, Mat prepares CPR Part 35 reports and provides testimony in Japanese knotweed-related legal cases, including misrepresentation and encroachment disputes. He also delivers regular seminars to legal and property professionals, helping raise awareness of best practice across the industry.



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