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Two guilty of hedgerow destruction during nesting season

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A landowner and contractor charged with the destruction of vegetation growing in a hedge during the 2019 bird nesting season plead guilty at Nenagh District Court in December.

On 12 December 2019, Judge Cormac Dunne fined the landowner €750 under the Wildlife Acts for offences carried out near Tiermoyle in Co Tipperary. The contractor who carried out the works was also charged €1000.

Judge Dunne, having regard to other cases of this type that come before him in the past, said that he could not take ignorance of the law into account in reducing the penalties.

Judge Dunne stated that the contractor should have been able to advise the landowner that this work was not permitted during the nesting season.

According to conservation groups, the Wildlife Act is essential to protect breeding birds that rely on hedgerows for food and protection.

Both men were also ordered to pay €1,200 to cover the legal costs of the National Parks and Wildlife Service (NPWS) that brought the proceedings.

Evidence provided by Dr Aine Lynch, a ranger with the NPWS, showed severe cutting and/or grubbing resulting in the removal of half the width of the hedgerow along 830m of the perimeter of the property in question.

Another 830m of internal hedgerows were completely removed during the bird nesting season that occurs between 1st March and 31st August.



Photo: Niall Sargent

‘All too common’ problem

Mike Rendle, a spokesperson for Wildlife Rehabilitation Ireland (WRI), said that destruction to hedgerows during the bird-nesting season is “all too common”, reserving praise for the NPWS for the successful prosecution.

“The survival of birds and other wildlife is already under pressure from the removal or destruction of their natural habitat. The outcome of this case and the penalties imposed should serve as a warning to others to act responsibly towards the environment,” he added.

Rita de Brún, another member of WRI, said that the move by Judge Dunne to fine the contractor more than the landowner may serve as a deterrent to contractors in the future to carry out any works during the nesting season.

“Going forward, WRI would like to see the courts impose both heavier fines and prison sentences in their endeavours to enforce the Wildlife Acts. Wildlife is under siege in Ireland. Never before has it been more threatened. There should be zero tolerance of the wilful and reckless destruction of vegetation which destroys wildlife and habitats,” she added.

The NPWS is set to bring seven further cases linked to the destruction of vegetation between January and March this year, including cases in counties Laois, Longford, and Tipperary.

Last year, the wildlife service brought several hedge-cutting cases, securing convictions in counties [Laois](#) and [Tipperary](#). According to data released to *The Green News*, the NPWS has brought over 30 cases linked to illegal hedgerow cutting or removal between 2010 and 2018.

This account for a little over 15 per cent of cases brought by the service during this period, with other cases involving the likes of illegal hare coursing, bird trapping and tree removal.

About the Author



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