

'No love lost' in roadside incident

'It's quite clear a bad relationship exists between the two men,' Judge Brennan remarked at the conclusion of a case in which a council sub-contractor was prosecuted arising out of an incident with a wildlife ranger in Cooley last year.

John Long, Long's Plant Hire, Grange, Carlingford, denied three charges brought by the Department of Arts, Heritage and The Gaeltacht.

He was accused of 'grubbing' or cutting the grass verge and areas adjacent to the hedge on the Greenore to Carlingford road on 20 July, 2015. Under the Wildlife Act, it is illegal to do so between 1 March and 31 August.

The defendant was further charged with obstruction of Kieran Buckley and failing to stop and comply with the ranger.

John Long claimed in evidence he had been harassed in the past by the official, and he accepted 'there is no love lost between us.'

The judge dismissed the substantive charge of 'grubbing'. but fined Mr Long €100 on each of the other two offences.

Kieran Buckley, a conservation ranger with the National Parks and Wildlife Service, said he was on patrol when he saw a tractor and cutting machine with a rotating flail 'grubbing out' vegetation on the side of the road.

He approached the driver, whom he knew, and asked him to stop.

John Long refused. He repeated the request, and he refused again.

Mr Buckley said the other man stuck up his fingers.

'He told me to f**k off, and that he didn't give a f**k, if I called the guards.'

Witness added that he retreated, and rang gardai.

The machine kept coming to within a metre of where he was parked, drove around him, and continued to cut in front of him.

The court heard the guards arrived, and that the defendant drove away from the scene, before he pulled over.

John Long said he was cutting for the Tidy Towns.

Cross-examined by the accused, who represented himself, Mr Buckley said he didn't see workman signs on the road.

He has a Safe Pass, but wasn't wearing a helmet or hi-vis vest, as he wasn't required to.

It was put to him what he did was very dangerous, and the ranger denied pushing past a workman who was also there.

Sean O'Hanlon testified he was doing traffic management when a van swung very close to him.

A man got out, asked who was in the tractor, and 'before I could answer, he pushed past me.'

Mr O'Hanlon said they were verge cutting at a junction for Louth county council.

The defendant said he had been harassed by Kieran Buckley three times, and what he did on this day was dangerous.

Mr Long told state solicitor Fergus Mullen there was 'no love lost' between him and the other man.

He hadn't complained to the department about him.

'I was quite annoyed. I told him to get out of the way. I gave him the fingers, and might have told him to f**k off.'

The accused added he was 'cutting the junction for safety' for Louth county council.

Eanna Nic Gabhann, executive engineer for the local authority, said in **summer** the council employs contractors to cut and trim back hedges, in particular at junctions.

This is done in the interest of maintaining sight lines, which is a general entitlement of the council that does not require permission.

They relied on the judgement of the area overseer who identified the areas to be cut to Mr Long.

Judge Brennan remarked he had heard conflicting evidence.

'Unfortunately, Mr Long didn't inform the officer on the day he had an exemption from Louth county council. I'm satisfied he mentioned Tidy Towns, and satisfied on the basis of the evidence, he was under the impression he was entitled to do this.'

The judge said a bad relationship between the two men was quite clear. John Long should have been more patient.

However, on the substantive charge of 'grubbing', he had a doubt and dismissed it.

After being told the defendant has no previous convictions, he dealt with the other matters as outlined.

Irish Independent – The Argus