

2 men fined €1,250 for removing one mile of hedgerow



[Charles O'Donnell](#)

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Two men have been convicted and fined a combined €1,250 for removing a mile of hedgerow that was home to a number of birds' nests.

In a case taken by the National Parks and Wildlife Service (NPWS) on May 2, 2019, the two men were convicted of four offences under the Wildlife Acts.

These offences included the “willful destruction” of the nests and the destruction of the vegetation; the incident took place between May 22 and May 27, 2017, at Clogrenan in south Co. Laois.

Kieran Buckley, a conservation ranger with the service, presented evidence in Carlow District Court showing that one mile of hedgerow had been destroyed, along with the nests for four bird species: the blackbird; song thrush; wren; and wood pigeon.

The two men argued that they had removed the hedgerow in the “ordinary course of agriculture”, and that they did not know birds' nests were present, or that it was an offence to destroy hedgerow vegetation during bird nesting season.

However, Judge Colin Daly dismissed this argument, saying that the evidence presented indicated that the destruction was “very significant”, and due to the “extraordinary scale” to which it was carried out, was outside the ordinary course of agriculture.

The judge also argued that the damage had “significant implications” for the protection of birds and the environment, adding that “ignorance of the law is no excuse to break it”.

The two men were convicted of two counts each; one was fined €500 and the other – the landowner, and therefore, in the judge’s view, the individual with the greater culpability – was fined €750.