

# Two men convicted after destroying nests of four bird species during out-of-season hedge cutting

*Hedge cutting and burning is banned every year between 1 March and 31 August.*

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TWO MEN HAVE been fined by Carlow District Court after they were convicted of four offences under the Wildlife Act for hedge cutting out of season.

The two men were charged with four offences, after a case against them was taken by the National Parks and Wildlife Service under the remit of the Department of Culture, Heritage and the Gaeltacht.

Under the Wildlife Act 2000, hedge cutting and burning is banned every year between 1 March and 31 August.

The law aims to protect and maintain wildlife diversity by establishing areas where wildlife can thrive during seasons when nests and flowers are more common.

The pair were found guilty of the wilful destruction of birds' nests and the destruction of vegetation growing in a hedge on dates between 22 and 27 May 2017 at Clogrenan, Co Laois.

Carlow District Court saw evidence from the National Parks and Wildlife Service that one mile of hedgerow vegetation containing the nests of four bird species, including Blackbird, Song Thrush, Wren and Wood Pigeon, had been destroyed as a result of their actions.

The two defendants said they did not know that there were bird nests in the hedgerow at the time they were cutting, or that it was an offence to destroy vegetation growing in a hedge during the bird nesting season.

They also said that it was a defence to remove hedgerow vegetation in the ordinary course of agriculture.

However, Judge Colin Daly said that the evidence presented to the court showed that the destruction of vegetation was very significant and outside of the ordinary course of agriculture because it was carried out on an extraordinary scale.

He added that the damage also had significant implications for the protection of birds and the wider environment.

The judge convicted and fined the first defendant €750 on two counts and stated that, as the landowner, he had the greater culpability.

He convicted the second defendant on two counts and fined him €500, before adding that ignorance of the law was no excuse to break it.

### **About the author:**



Stephen McDermott

[@Ste\\_McDermott](#)

[stephen.mcdermott@thejournal.ie](mailto:stephen.mcdermott@thejournal.ie)