



Curreal,  
Glenflesk,  
Killarney,  
Co. Kerry  
December 2014

Review of Section 40,  
Department of Arts, Heritage & the Gaeltacht,  
7 Ely Place  
Dublin 2

To whom it may concern,

Curreal is a townland in the parish of Glenflesk in Kerry. The river Flesk is its boundary on one side and to the east it backs on to high mountains and upland. It is a townland of two halves; the land along the river is very flat and subject to severe flooding which resulted in the houses and farmyards being constructed on slightly elevated ground very close to the foot of the mountain. The mountain rises very sharply and this area to the rear of these dwelling houses is completely inaccessible to machinery and therefore the vegetation cannot be kept at a safe level by mechanical treatment.

Traditionally when the closed season for burning did not commence until the middle of April we normally got a window of opportunity to burn fire breaks which kept our homes safe from wild fires. Burning these fire breaks is a very skilled operation, you need a combination of conditions to be correct simultaneously e.g. dry matter content of the fuel load, wind direction, wind speed, and a contingency plan in place to deal with the situation in the event of some of these conditions changing while the operation is in progress.

In the year 2000 the law was changed which extended the closed season for burning back to March 1<sup>st</sup>. This resulted in no controlled burning since 2000. We could never get conditions right to carry out the operation within the legal burning season.

Since the year 2000 we knew we were living dangerously, and our worst fears became a reality in April 2010. A fire which started at least one mile away went out of control very quickly and the wind direction changed and favoured the spread of the fire in our direction almost immediately. Only for the Trojan work by the fire services on that occasion dwelling houses would have been destroyed. We are enclosing photographs of the scenes that night to help you appreciate how alarming and scary the experience was, and how helpless we; the stakeholders were to do anything to avert it.

We welcome the invitation of Minister Heather Humphreys for submissions by the public to be made prior to her review of Section 40 of the Wildlife Act. In answer to the questions that are asked:

#### Hedge-cutting

Not of major concern to us, as hedge-cutting is not as weather dependent as burning of vegetation.

**Burning of Vegetation**

- (a) No. We want the start of the closed season to begin six weeks later, i.e. 15<sup>th</sup> April
- (b) Yes. The carrying out of hedge-cutting is not as dependent on weather conditions as is the burning of vegetation
- (c) We strongly agree that different rules should apply to our area. Our geographical positioning leaves our dwelling houses and farm buildings extremely vulnerable in the event of an uncontrolled fire. Since the introduction of a shorter open season in 2000, this situation has been greatly exacerbated.
- (d) Yes. It would be desirable in the event of a very wet spring, to have a derogation option in place.
- (e) Yes. Flexibility should be introduced to allow a ministerial order to extend the burning period, in any particular year.

**Signed:**

	<u>Landowner</u>	<u>Resident</u>
<u>Jerry Kelleher</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Donna Lynch</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Denis O'Rourke</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Paul O'Donoghue</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>John O'Day</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Patrick McCarthy</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>David O'Donoghue</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>