

REF: 2015S40/0036

From:

Sent: 06 January 2015 16:48

To: Nature Conservation

Subject: Review of Section 40 of the Wildlife Act - Burning/Cutting Controls

We attach our submission with regard to the Public Consultation on the above review.

Review of Section 40 of the Wildlife Act – Burning/Cutting Controls

It is of the utmost importance that the closed period for cutting back of our hedgerows remains as set out in the legislation.

Not only is it absolutely necessary to protect bird life, but also to protect the hedgerows and the plants growing along our roadsides. These are frequently larval foodplants for many insects such as moths and butterflies, and also the nectar of wildflowers is necessary to sustain bees, hoverflies and previously-mentioned pollinating insects. Our hedgerows also provide shelter for small mammals.

We refer to Point No. 3 :

Hedge Cutting. 'It has been suggested that landowners should have clear power to cut roadside hedges from the end of July on the basis that birds will have generally left their nests by then'.

It should be noted that small hedgerow birds like Wrens, Goldcrests etc., frequently produce a second brood, which is to ensure species survival in harsh winters. Birds of this size are very vulnerable in extreme weather conditions as we have experienced during the last decade. In the interests of protecting all biodiversity – which includes wildflowers – it should be noted that there are many species of wildflowers which will not have set seed by the end of July and for this reason alone, the period should not be shortened.

Burning. 'Some farmers and land managers () have sought controlled burning () to be allowed on their land in the year than the end of February'.

Burning of Heather later than current legislation allows, can endanger ground-nesting birds which use Heather for cover, this includes Red Grouse and a number of Raptors.

We refer to Point No. 4.

'Hedge Cutting - Should the closed period for cutting hedges be changed?'

The only answer is 'No'.

However, it is one thing to have legislation in place which is designed to control burning and hedge-cutting. It is another thing altogether to have this law policed.

There is a real need for some system of reporting to be put in place so that when a concerned individual witnesses this law being transgressed, he or she can expect the support of their local council in trying to prevent the contractor from continuing to carry out the work.

We would also suggest that a public campaign be launched which clearly educates the public as to the law in this regard, and which would also include an element aimed at school-children in the classroom.