

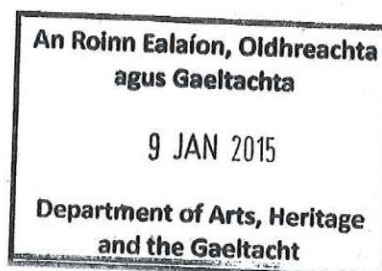
# Submission made by



To

**The Minister for Arts, Heritage and the Gaeltacht  
Heather Humphreys T.D.**

**In relation to a consultation process  
Relating to  
The maintaining of hedges and to the burning of bushes**



**January 2015**

Submission made January 2015 to the Minister for Arts, Heritage and the Gaeltacht in relation to a consultation process relating to the maintaining of hedges and to the burning bushes by [REDACTED]  
[REDACTED]

## **Introduction**

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### **Prologue**

At the present time Ireland is under the domination of a foreign ascendancy which does not seem to have a clue about the life of the Irish countryside or about anything else for that matter except how to line their own pockets. This foreign ascendancy cares little for the opinions of Irish people. It is not possible to have much faith in a consultation process such as this one.

### **Preamble**

Since the implementation of the ban on hedge maintenance there has been a catastrophic decline in the songbird population in Ireland. This decline in the songbird population in Ireland can in part be traced to the negative effect that the inappropriate banning of hedge maintenance at certain times of year has had upon songbird habitat and by extension upon songbird populations in Ireland and elsewhere.

### **It bears repeating again and again and again:**

- 1 **banning hedge maintenance** at proper times of the year incentivises a negative impact on songbird populations:
- 2 **banning hedge maintenance at proper times of the year** incentivises a negative impact on songbird populations:
- 3 **banning hedge maintenance at proper times of the year incentivises a negative impact on songbird populations.**

At this point the excruciating wit of the bureaucrats employed by the minister may possibly be heard. What could a farmer from County Meath possibly know about birds of the singing kind? What could any farmer possibly know that self-proclaimed eminent persons with Ph.D. in birdology and related disciplines possibly not know?

“You will know them by their fruits” (Matt. 7:16)

When I was a boy there were many more birds and many more species of birds on the farm and in the area in general. Three of the more noted birds that were common around Lionsden and that now have disappeared are the corncrake, the cuckoo and the curlew. Clouds of pilibin/plover used to cover the farm and surrounding farms every year at certain times of the year; I do not know when I last saw a pilibin.

Another bird, again a bird long gone, that used to be often seen around the farm and in the area was the partridge. Sparrows used to infest the farmyard; for the past couple of years there have been no sparrows at all. A thrush hardly has been seen more than once or twice in the past five years.

When I was a boy in common with many other country boys I used to go looking for bird's nests every year during the nesting season. Because of this activity I, in common with my confreres, came to know quite a lot about the precise nesting habits of birds, especially birds nesting in hedges.

As already stated, what could any farmer possibly know that eminent persons with Ph.D. in birdology and related disciplines possibly not know? All that this particular farmer from County Meath does know is that over the past five to ten years the songbird population on the family farm at Lionsden has declined almost to the point of extinction. There appears to have been a marked and accelerated decline over the past two or three years. In part this decline in the songbird population would appear to be the unintended result of inappropriate policy. Because it is no longer possible to carry out preferred maintenance work on hedges at appropriate times

of the year the farming community, the hedge-laying community and indeed the urban and rural gardening community has been forced to change the way they do things. It is not possible to manage hedges in a thoughtful manner. Many bird habitats have been lost because of inappropriate policy. In addition legal obscenities such as bringing the hedge maintenance laws to bear upon volunteer Tidy Town committees have been allowed. Government policy incentivises the destruction of songbird habitat.

It used to be not unlawful to get in a hedge-laying or hedge maintenance contractor in June or July when the ground was dry in order to do a bit of maintenance work on hedges around the farm when things were a bit slack after the first cut of silage. Machinery could be used with the ground hard and dry to clean up debris for burning and to gather fallen branches for firewood. Farmers tended to allow hedges to become overgrown on a rotational basis around the farm in order to produce firewood. It was possible to do hedging work with machinery in fine weather over the summer when time was available with long summer evenings and hard dry ground.

Because this no longer is possible under the law farmers have tended to respond by turning all the hedges on the farm into nice tidy box shapes with hedge macerators over the winter months as long as the ground stays dry enough. The ground stays dry enough about two years out of every three so even if a year is "missed" there will not be any heavy branches or debris to be cleaned up on ground which is getting too soft for machinery.

There are another couple of reasons for the decline in songbird populations which are not altogether obvious but which ought to be given careful consideration. Because of the stupidity of bureaucratic policy in relation to hedge maintenance almost all specialist hedge-cutting contractors have been put out of business. These specialist contractors used to be able to work all year round and deal with their customers on a rota system from one year to the next. Hedge maintenance went on all year round weather permitting. A relatively small portion of all the hedges in the country would be under maintenance at any one time. Specialist contractors with their detailed knowledge would as much as possible avoid damage to

nesting populations. They could always leave a job half-finished secure in the knowledge that they could go back and complete the job when nestlings were out of the way and nests had become redundant.

Nowadays, every hedge in the country that can be got at is macerated during the short window of opportunity that is available from the end of the harvest until the start of the busy season of calving and lambing. If the work was spread out over the year songbirds would adapt and move to another suitable location nearby. There would be long summer evenings, fine weather and habitat available. With all of the work now crammed into one short period of time due to bureaucratic and government stupidity every songbird habitat over a large area may be destroyed in a few days every year. Songbirds find they have nowhere to live and nothing to eat coming into the worst possible time of the year. The nesting and breeding season is not the critical time for songbird survival. Winter and habitat are critical. Government policy incentivises the destruction of habitat and by extension the destruction of songbird populations.

Another cause of the evolution in farming practice has been the ridiculous ban on burning bushes. Many people refuse to believe a ban exists. It is utterly degrading to me as a professional farmer with respect for the law that in order to tidy up a hedge and burn the resulting debris I must conform to intolerable law reminiscent of various ubiquitous continental systems. I must be mindful of the date, then fill out a detailed and ridiculous bureaucratic form to request permission - which may be refused without reason- (and in County Meath pay a bureaucratic fee) from some ubiquitous minor bureaucrat with an inflation of power hideous to behold in a country which claims to be free and respectful of Common Law.

### Submissions

With respect the minister is requested to hearken to the voice of reason and to favourably consider viz.

1 Anybody who supports the theory that banning hedge maintenance during the nesting and breeding season has an overall beneficial impact upon songbird populations should be required to bring forward believable facts in support of the theory.

2 Most songbirds are partial migrants with a very high mortality rate in their first few weeks of life. About 50% of small Irish songbirds do not survive until winter. Something destroys about half of the annual juvenile songbird population every summer and autumn with little or no effect on the population available for breeding in Ireland the following year.

3 Policy in relation to the hedge maintenance is driven by emotion rather than by scientific enquiry.

4 Destroying the occasional birds nest in late spring or early summer has little or no effect on the overall bird population.

(However, destroying the occasional birds nest in late spring or early summer gives emotional and irrational political ammunition to a few “nature-loving”, tree-hugging vegetarian types with camera phones and access to internet and other broadcast media.)

5 The vast majority of birds who nest in hedges build their nests deep in the middle of the hedge. Hedge maintenance during the breeding and nesting season has little or no negative impact upon the overall nesting population.

6 The ban on maintaining hedges during the breeding and nesting season has in some measure been responsible for the decline in the songbird population because it incentivises habitat destruction.

7 The decline in the songbird population seems to have gone hand in hand with the evolution of farming practice in response to the political implementation of inappropriate policy in relation to hedge maintenance and other matters.

8 Since the implementation of the ban on hedge maintenance the songbird population has declined catastrophically.

**Submission No.8 is a submission that ought to be repeated again and again and again.**

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(Maybe even some respectful nature loving, tree-hugging and vegetarian bureaucratic advisor to the minister might ponder upon submission No. 8)

9 The songbird population would rise (or at least decline more slowly) if the ban on hedge maintenance was removed.

10 Because of the undisputable fact that the ban on hedge maintenance has gone hand in hand with a catastrophic decline in songbird populations it is indisputable that the policy is either defective, irrelevant or both defective and irrelevant.

11 The minister should pay more attention to country people who live with the catastrophic decline in bird numbers every day. The minister should pay less attention to tree-hugging vegetarians and pseudo-scientific EU bureaucrats from the city that do not have a clue about what they are talking about especially in relation to farmers, farming and birds.

12 The ban on hedge maintenance should be removed in its entirety. Hedge maintenance in both urban and rural areas should be allowed all year round. The all-round benefits will be seen almost immediately.

13 In any event hedge maintenance by hand or with small hand-held mechanical devices should be allowed at any time of the year. The all-round benefits will be seen almost immediately.

14 If a ban be found necessary for political or bureaucratic reasons then the minister could arrange for the banning of hedge maintenance from about mid-April to about mid-June each year as it comes. This may give comfort to the luvie-duvie, “nature-loving”, city dwelling, bureaucratic and tree-hugging vegetarian community. It will have little or no beneficial effect on songbird populations but it will not discommode the farming community to any great extent. In any event hedge maintenance by hand or with small hand-held mechanical devices should be allowed at any time of the year. The all-round benefits will be seen almost immediately.

15 If a ban be found necessary for political or bureaucratic reasons then the minister also might consider the banning of hedge maintenance for a few weeks over the winter with little hardship to the either the farming community or the urban community and maybe with some minor beneficial results for birds. In any event hedge maintenance by hand or with small hand-held mechanical devices should be allowed at any time of the year. The all-round benefits will be seen almost immediately.

16 If a ban be found necessary for political or bureaucratic reasons then hedge maintenance should be allowed from January 15th until April 15th and from June 15th until December 15th each year as it comes. In any event hedge maintenance by hand or with small hand-held mechanical devices should be allowed at any time of the year. The all-round benefits will be seen almost immediately.

17 Derogation should be allowed all year round for bone fide reasons and in particular derogation should be allowed all year round and especially in summer for professional hedge-laying contractors. In any event hedge maintenance by hand or with small hand-held mechanical devices should be allowed at any time of the year. The all-round benefits will be seen almost immediately.



18 If the present policy is not changed to allow hedge maintenance at appropriate times of the year there will be an ongoing long term destruction of songbird habitat.

19 If the present policy is not changed to allow hedge maintenance at appropriate times of the year there will be ongoing long term destruction of hedges. Over time well maintained hedgerow will tend to vanish from large areas of the Irish landscape.

20 Farmers, landowners and others whose behaviour is reasonable should be able to go out upon land, tidy up a hedge and burn the resulting debris at any time of the year and at any hour of the day or night free from political or bureaucratic interference. The all-round benefits will be seen almost immediately.

21 The minister should be obliged to educate the public in regard to the facts relating to songbird survival, hedgerow maintenance, burning of bushes and related matters. The government propaganda machinery should be employed to assist farmers and others with an interest in the countryside. Persons impelled by negativity and with no more than a vegetarian, emotional or political interest should be confronted by the minister on a regular and ongoing basis. The all-round benefits will be seen almost immediately.

22 Present government policy in relation to the maintenance of hedges and to the burning of bushes is an ideological policy. It is just plain wrong. Our fathers and fore-fathers would never have tolerated it or inflicted it upon our country or upon any other country in the world. Policy should be changed as soon as possible.

23 Present government policy in relation to the maintenance of hedges and to the burning of bushes makes unlawful reasonable conduct by reasonable people. Contempt for law, nature and wildlife is generated with consequential negative impact upon songbird populations, habitats and survival. Policy should be changed.

 7<sup>th</sup> January 2015