

# Public Consultation

## REVIEW OF SECTION 40 OF THE WILDLIFE ACT - BURNING/CUTTING CONTROLS

### From Muckross Community Association & local farmers

#### INTRODUCTION

Attached is the 'Strategy for Wild Fires' prepared by local farmers and Muckross Community Association, and supported by Killarney National Park Liaison Committee and the Killarney Chamber of Tourism and Commerce.

The strategy makes it clear that the successful management of commonages and mountain areas depends on much more than the two issues addressed in this consultation. (See strategy attached)

The following is our response to the specific questions on 'hedge cutting' and 'burning of vegetation'.

#### HEDGE CUTTING

- \* 'Burning' and 'Hedge Cutting' have very different requirements. Dates for one should not be linked to dates for the other in any way.
- \* Hedge cutting should be allowed from August 1
- \* There may be some confusion between 'hedge cutting' and 'cutting of margin grass'. There should not be any confinement on the cutting of grass.
- \* There should be no closed season for hedge cutting along main roads/roads with a speed limit of 100 KPH

#### BURNING OF VEGETATION

- a. Should the current dates be maintained - if so why?  
Date should be changed back to April 15, which was the date up to 15 years ago and is still the date in Northern Ireland and most of the rest of the UK.
- b. Should different closed periods be introduced for burning as opposed to hedgecutting?  
Yes. As already mentioned 'Burning' and 'Hedge Cutting' have very different requirements. Dates for one should not be linked to dates for the other in any way.
- c. Should different rules apply in different areas eg between enclosed lands and unenclosed land - if so why? No.
- d. Should derogations of licensing for burning be introduced during the closed periods - if so why?
  - \* if the date is changed to April 15 there should be very limited reasons for derogations. A retired forester with 45 years experience quoted the experience of conducting burning for Coillte for 17 years
    - # could only burn once in February
    - # nearly all burning in the second half of March.
    - # only had to burn twice in April.
    - # only one year failed to burn.

(more)

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- \* However there may be circumstances where derogations are needed
  - # where because of weather conditions it was not possible to burn before April 15 and circumstances are such that it would be dangerous not to burn
  - # where burning is part of research into the most effective approach.
- e. Should flexibility be introduced to allow dates to be changed by statutory instrument, or by allowing a Ministerial order to extend the burning period in any particular year?  
This is linked with the question on 'derogations'. As already mentioned, there should be 'derogations' and there should be 'flexibility' but ideally that should be left to the discretion of the landowner - as it is in Scotland where the dates can be extended at the discretion of the individual landowner.

### CONCLUSION

While this submission draws on the experience of forestry professionals in the public sector as well as landowners and residents it only deals with a part of the problem, it is clear that extending the burning date to April 15 is key to everything.

But as well

- \* the culture of burning
  - # among landowners it has been in decline
  - # needs to be developed among private householders
  - # see point 15 in strategy document (attached)
- \* professionally patrol all areas in danger of burning - 24 hours a day, seven days a week, from mid-February to Mid-May - as used to be done by Coillte. If the burning date was changed to April 15, with annual burning, the need for this would be greatly reduced.
- \* the fire service should only be called through the fire patrols or by those who have informed the fire service in advance of their intention to burn and were deemed competent to carry out controlled burning.
- \* operate a strategy of excavation, spraying and burning - annually burn firebreaks ten to fifteen metres wide in all areas in danger of burning
- \* annually clean all ditches and walls in or near forest areas
- \* as well as the further suggestions in our fuller strategy. (See full text on strategy attached)

### STRATEGY PERPARED BY

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### STRATEGY ALSO SUPPORTED BY

- \* Killarney National Park Liaison Committee - advisory body to government, representing 24 bodies in the Killarney Valley covering conservation, recreation, tourism & community.
- \* Killarney Chamber of Tourism & Commerce

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