

## **Defra consultation on Protecting Hedgerows Response from Petersfield Climate Action Network (PeCAN)**

The current regulations for hedgerows are too weak; they need to be strengthened in order to protect our failing wildlife and to improve biodiversity. There are currently two main pieces of legislation pertaining to hedgerows (the Hedgerow Regulations 1997 & GAEC 7a.), but there is not cross-compliance here.

PeCAN has responded to Defra's consultation which seeks to join the dots and strengthen protection for hedgerows. However, the way in which their questions are posed appear to us to favour minimum change: PeCAN feels changes are needed to restore nature.

The consultation does not cover hedgerow removal but seeks to strengthen conservation management, with enforcement delivered by local authorities and the Rural Payments Agency (who will withdraw environmental funding from land-owners who do not comply).

PeCAN's response, which advocates strengthening existing protections, including removal of exemptions to the law, we believe will not disadvantage the farming industry, food production or profitability to any significant degree. However, PeCAN's response also supports the proposal that *hedgerow protection should be extended to domestic hedges*, ie. those in private gardens. This would likely require new legislation.

PeCAN's response to the consultation:

Q1. Our response is not confidential.

Q2. Melanie Claire Oxley, Trustee of PeCAN

Q3. *melanieoxley44@gmail.com*

Q4. PeCAN's sector is 'non-governmental organisation'.

Q5. **PETERSFIELD CLIMATE ACTION NETWORK**

Q6. England

Q7. N/A

Q8. Yes we would respond.

Q9: No. We would like to see the 'buffer zone' widened to **at least 3m from the centre of the hedge.**

Q10: No. Small fields have wildlife too and may have greater biodiversity per unit area. We are in a wildlife loss crisis and farmland has lost more wildlife than most other habitats/land uses. We should remove this exemption.

Q11: No. We cannot see any reason for this. In ten years time a young hedge is an older, more diverse hedge!

Q12: Yes. You have not defined 'important' bird species - **all bird species and all wildlife species are important**. All wild birds and their nests are protected by law - the no-cutting period is a straightforward means of ensuring that nests are not destroyed accidentally.

Q13: No. This should **extend beyond 31 August** since birds may still be nesting on a second or third brood and in addition, other wildlife and complex species interactions associated with hedges, would benefit from a longer “no cutting” period. Many species of birds that nest in hedgerows are declining and/or rare and for some of these the late season is particularly important, eg. yellowhammer and curlew.

Q14: No: We are in a wildlife loss crisis and farmland has lost more wildlife than most other habitats/land uses. We should be doing more not the same (it clearly isn't working) or less. The existing exemptions aren't really needed – agricultural hedgerows can be cut in the winter, ditto roadside hedges.

Q15: Yes.

Q16: No. See our response to Q10 & Q11.

Q17: Yes.

Q18: a. Skill-up local authority planning departments. b. Give clear advice to garden owners on the value of their hedges for wildlife. Regulations must be backed up by effective **enforcement**. Poor enforcement is to blame for the failure of many environmental policies from raptor protection, preventing sewage pollution of rivers, banning of lead ammunition in shooting wildfowl, restricting the burning of blanket bogs and adherence to the terms of general licences.

Defra should engage the public in **reporting** breaches of regulations and ensuring follow-up.

Q19: Yes, although the benefits might be modest compared with those in agricultural land. Golf courses and renewable energy sites (windfarms and solar farms) must surely be areas where hedgerow protection can be introduced at little disadvantage to anyone. Hedges forming the curtilage of private dwellings should be included.

Q20: Yes, but a combination of measures is needed and you have not consulted on a proposed mixture.

Q21: Yes, but a combination of measures is needed and you have not consulted on a proposed mixture.

Q22: Yes, but a combination of measures is needed and you have not consulted on a proposed mixture.

Q23: Yes, but a combination of measures is needed and you have not consulted on a proposed mixture.

Q24: Yes, but a combination of measures is needed and you have not consulted on a proposed mixture.

Here is the link to the consultation: <https://consult.defra.gov.uk/legal-standards/consultation-on-protecting-hedgerows/>