



## **Comhairle na Tuaithe Mountain Access Project**

Toolkit – draft August 2015



**Comhshaol, Pobal agus Rialtas Áitiúil**  
Environment, Community and Local Government

# Comhairle na Tuaithe Mountain Access Project

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## 1. Overview

Recent years have brought a significant growth in walking and other outdoor recreation activities in Ireland, and a drive to maximise tourism revenue from the sector. Much outdoor recreation activity in Ireland takes place on private land. The growth in activity has increased pressure on private landowners and rural communities, highlighting the need for a framework for the management of recreation in the Irish countryside.

Comhairle na Tuaithe's Mountain Access Project has the potential to provide a solution to issues associated with recreational activity in upland areas. It is a practical proposition developed to address the frustrations which arise for landowners arising from increasing recreational use of private land, and the desire amongst recreational users and rural tourism interests for certainty of access.

The Mountain Access proposition is based on securing the voluntary agreement of all landowners in a defined mountain area to allow access. In addition to the agreement of entry points and the provision of stiles and parking where needed, landowners will be indemnified for any claims that might arise from recreational use of their land.

The Mountain Access Project is being piloted in two areas, Binn Shléibhe near Clonbur, Co. Galway and the MacGillycuddy Reeks in Co. Kerry. First proposed in 2009, progress on the project was limited, largely due to changes within Comhairle na Tuaithe's parent department. In light of this, Comhairle na Tuaithe decided in June 2014 to establish a National Mountain Access Steering Group which is working to a 12-month timeframe to test the feasibility of the Mountain Access Project, to support its implementation in the two pilot areas, to capture learning and to facilitate extension of the project to other upland areas.

The National Steering Group, which is made up of representatives from the three main farmers' organisations, the Irish Uplands Forum and Mountaineering Ireland, is currently working with the staff in the Rural Recreation Section of the Department of Environment, Community and Local Government to secure the indemnity arrangement and to develop a toolkit to support extension of the project. This draft toolkit is based on discussions with Comhairle na Tuaithe and the Mountain Access Project National Steering Group, but it also draws extensively on site visits and feedback from the two pilot areas.

## 2. Principles underpinning the Mountain Access Project

The Comhairle na Tuaithe Mountain Access Project is based on the following principles:

### People

- Access is based on the voluntary agreement of all landowners / occupiers who are actively using the mountain.
- Access should be secured through a verbal agreement and there should be an ongoing point of contact for landowners.
- The access agreement is not based on a payment to landowners.
- The project seeks to provide certainty of access for responsible recreational users in a mountain environment (via designated points of entry).
- The Leave No Trace approach should be used to frame a message for users about responsible enjoyment of the area.
- The project should support local opportunities for training (e.g. in path repair, Mountain Leadership etc.), farm diversification and rural tourism.
- There should be respect for all partners and their perspectives.

### Place

- Recognition of the fact that all land in Ireland is owned, and that there is no legal right of access to the Irish mountains and countryside.
- The project should protect the relatively wild character of the mountain landscape, including sensitive surfaces and other cultural heritage features.
- Development or infrastructure associated with the project should be minimal, and on a scale which is appropriate to the mountain environment and the level of usage in the area.

### Management

- An indemnity should be provided so that private landowners are not exposed to liability should recreational users become injured in a Mountain Access Area.
- Arrangements should be put in place for ongoing maintenance of car-parks, paths, and signage, and also for dealing with any loss or damage incurred by landowners as a result of recreation activity on their land.
- Any upland path repair work or construction work should be fully in accordance with the Helping the Hills principles (see Appendix I).
- In developing the Mountain Access Area agree indicators which should be monitored at regular intervals to record the impact of the project.
- There should be a commitment to a strategic approach and to work towards integrated recreation management in the Mountain Access Area.

- There should be consistency nationally in the project approach, particularly in adherence to the project guidelines, but some flexibility should be allowed as each Mountain Access Area will be different.

### **3. How the Mountain Access Project works**

The project should be led by a local group with an involvement in outdoor recreation; this group may in turn form a local steering group of relevant local interests to oversee the project. Each Mountain Access Area should be supported by a Rural Recreation Officer (RRO) and possibly also a designated Farmers' Liaison Officer (FLO, see section 6).

A key part of the project is that all landowners (public and private) and active commonage holders in the area will be identified and approached, asking for their agreement to be part of the project. The benefits to private landowners are set out in section 5.

The RRO/FLO in consultation with landowners and walking clubs will agree entry/exit points to the Mountain Access Area, decide what infrastructure is required and arrange for this to be put in place (possibly through the Rural Social Scheme). Infrastructure should include an information sign with a map of the Mountain Access Area, a brief description of the area, plus safety and good practice tips for recreational users. The National Steering Group is currently working with a graphic design company to develop a template for a Mountain Access information sign (see draft in Appendix 2).

As these are mountain areas, recreational users should be appropriately skilled and equipped to look after themselves. The Mountain Access Project is not about developing trails on the mountains; however some projects will involve the repair of informal paths to prevent environmental damage. The difference between the Mountain Access Project and a marked walking route should be emphasised in discussions with landowners, and through all publicity. This can be re-enforced by describing the car parks as Mountain Access Points, rather than Trailheads.

The development and maintenance of defined Mountain Access Routes (to channel recreational users from car-parks to the open hillside) will be part of the Mountain Access Project in some areas. Most of these routes will already be popular informal access routes.

In addition to negotiation with public and private landowners, there should be early consultation with National Parks & Wildlife Service and the Office of Public Works to identify any environmentally or archaeologically sensitive points within proposed Mountain Access Areas, as this will have a bearing on the management of recreation activities.

As part of the consultation process landowners may be asked to give permission for a range of low-impact recreation activities, not just walking and climbing (this should reflect the activities taking place in the area). Landowner permission would be contingent on responsible recreation, meaning respect for landowners and their activities, for the natural environment and for other recreational users, as set out in the Leave No Trace programme. For each Mountain Access Area it should be clear which recreation activities are permitted, which are not permitted and which require special permission, e.g. events involving large numbers.

While limited promotion of Mountain Access areas is recommended (at least in the early stages), there should be online information for each Mountain Access Area, so that visitors know in advance what to expect. It is proposed that local information will be complemented by a central website, [www.mountainaccess.ie](http://www.mountainaccess.ie), which will provide information on all Mountain Access Areas. As with the template for information panel design, this will encourage users who are familiar with one Mountain Access Project to visit other areas,

All landowners should have a point of contact should any issues arise from the Mountain Access Project (probably the RRO/FLO). The local steering group should also put mechanisms in place for ongoing maintenance of project infrastructure and environmental monitoring.

#### **4. Developing a Mountain Access Area**

To determine the feasibility of the Mountain Access proposition, the National Steering Group is keen to see the Mountain Access Project initiated in three or four further areas in 2015. This is necessary as neither the MacGillycuddy Reeks or Binn Shléibhe is typical of the situation that exists in other upland areas; in many ways they represent opposite ends of a spectrum in terms of scale and usage. The Department of Environment, Community & Local Government has funding available in 2015 to assist with the set-up costs for up to four Mountain Access Areas.

A Mountain Access Project could commence with an approach to an RRO from a local group, or by an RRO bringing relevant parties together to discuss the scope for the project. While the presence of an RRO isn't essential, it would make it easier to progress a Mountain Access Area.

The National Steering Group will welcome interest in the Mountain Access Project from any area that fulfils the following three criteria:

1. Confirmation that landowners in the area are willing to provide permissive access and participate in the project;
2. A coherent mountain area that includes peaks of 400m or more in height;
3. A group that is prepared to co-ordinate the project (could be a local group, local development company etc).

While the characteristics of each Mountain Access Area will differ, in the next phase of the Mountain Access Project the National Steering Group would like to see some of the following features represented:

- Heavily used for hillwalking and possibly other forms of recreation,
- Close (one hour's drive or less) from a large centre of population,
- A range of services (eg shops, transport and accommodation) available in the vicinity
- Where the land is owned individually by a number of landowners rather than jointly as commonage,
- Where Coillte owns a significant proportion of the land, or where Coillte provides locally important recreation infrastructure.

Interested parties should contact Michael McHale in the Rural Recreation Section, Department of Environment, Community & Local Government to discuss the Mountain Access Project (096 24248 or [michael.mchale@environ.ie](mailto:michael.mchale@environ.ie)).

## 5. Benefits to Landowners

The Mountain Access Project offers many benefits to landowners including:

- A mechanism to manage the increasing level of recreational activity on the Irish mountains, and a point of contact (RRO or Farmers Liaison Officer) to deal with any problems which may arise for landowners as a result of recreation activity on their land.
- Full indemnity against any claims from recreational users who have become injured on the mountain.
- Development of car parks should prevent narrow roads and gateways being blocked by parked cars.
- Designated routes and off the hill should reduce damage to fences and loss of privacy which can arise when recreational users don't know where to go.
- Signage which makes clear that the Mountain Access Area is used with the permission and goodwill of landowners and that recreational users should respect that goodwill, care for the environment and take responsibility for their own safety.

- In some situations there may be scope for landowners to generate revenue by providing services such as parking, campsite etc.
- Mountain Access Areas should attract recreational users, who will be encouraged to spend money in the area. This will help sustain local services such as shops and pubs for the benefit of local communities.

## 6. Role of Farmers' Liaison Officer

*(Based on the Binn Shléibhe Mountain Access Pilot)*

It is suggested that this person is an active farmer who is in regular contact with other farmers. They should be contactable by mobile phone by both farmers and recreational users.

They should be knowledgeable about hillfarming, commonage and associated issues and up to date with issues regarding recreational access. Their role is as follows:

- Bring the farming perspective to the table in any negotiations on access issues;
- Provide ongoing advice and support to farmers on access issues and act as a point of contact for farmers should any issues arise;
- Point of contact for recreational users seeking information on access in the area;
- Help to mediate where there are problems;
- Promote the Leave No Trace message to recreational users and within the farming community;
- Help disseminate the positive message of opening access to upland areas.

**Background notes:** *In the Binn Shléibhe Mountain Access Pilot, farmers meetings were held before the Farmers' Liaison Officer took on his role. In other areas the Farmers' Liaison Officer could be the person getting the agreement of each landowner to participate in the Mountain Access Project, with support from the Rural Recreation Officer for the area.*

*The Farmers' Liaison Officer involved with the Binn Shléibhe Mountain Access Pilot works on the Rural Social Scheme and in future or in other areas this could be part of a participant's work under the scheme.*

## 7. Mountain Access Project – implementation checklist

<ul style="list-style-type: none"> <li>Identify an area for the project that fulfils the three basic criteria</li> </ul>	
<ul style="list-style-type: none"> <li>Engage with Rural Recreation Section / Mountain Access Project National Steering Group.</li> </ul>	
<ul style="list-style-type: none"> <li>Form a local Steering Group for the project.</li> </ul>	
<ul style="list-style-type: none"> <li>Identify lead person for liaison with farmers.</li> </ul>	
<ul style="list-style-type: none"> <li>Identify all active landowners in the area (through lead person, key contacts, word of mouth, land registry etc.)</li> <li>Place an advert in local paper(s) seeking to identify active landowners.</li> <li>Hold an information evening for landowners and other interested parties.</li> </ul>	
<ul style="list-style-type: none"> <li>Liaise with landowners and local recreational clubs to identify suitable access points.</li> </ul>	
<ul style="list-style-type: none"> <li>Agree nature of access within local Steering Group and with landowners – access points; activities permitted / not permitted; arrangements for large groups; dogs allowed or not etc.</li> </ul>	
<ul style="list-style-type: none"> <li>Prepare a project information sheet for landowners.</li> </ul>	
<ul style="list-style-type: none"> <li>Seek agreement (verbal) from all active landowners.</li> </ul>	
<ul style="list-style-type: none"> <li>Contact any statutory landowners in the area (e.g. Coillte etc).</li> </ul>	
<ul style="list-style-type: none"> <li>Consult with NPWS regarding environmental sensitivity of the area, particularly consider access points, also OPW regarding archaeological sensitivity.</li> </ul>	
<ul style="list-style-type: none"> <li>Consider if additional parking is required at access points, identify what work may be involved and liaise with local authority.</li> </ul>	
<ul style="list-style-type: none"> <li>Identify any infrastructure required (information panels for car-parks, finger post signs for road junctions, stiles etc).</li> </ul>	
<ul style="list-style-type: none"> <li>Prepare a map of the access area for use on signage (showing boundary of access area, access points and any other key information).</li> </ul>	
<ul style="list-style-type: none"> <li>Liaise with Rural Recreation Section regarding indemnity to landowners.</li> </ul>	
<ul style="list-style-type: none"> <li>Prepare information panel using local wording / images, based on guidelines and design template provided.</li> </ul>	
<ul style="list-style-type: none"> <li>Conduct a basic environmental and path assessment, and set down parameters for monitoring during project.</li> </ul>	
<ul style="list-style-type: none"> <li>Make arrangements for erection of signage (possibly local authority, RSS etc).</li> </ul>	
<ul style="list-style-type: none"> <li>Make arrangements for ongoing maintenance of car-parks, signage etc.</li> </ul>	
<ul style="list-style-type: none"> <li>Review project after 1 year, provide feedback to National Steering Group, start developing a recreation management plan.</li> </ul>	

## Appendix I – Sample information sheet for landowners

### **Xxxxxx XXXXXXXX Mountain Access Project**

#### **What is the Mountain Access Project?**

The (*insert name of group of local group*) is asking all the landowners and commonage shareholders on Xxxxx Xxxxx for their agreement to participate in a project to provide access to the hill for walkers and other visitors.

The Mountain Access Project is a national project to provide certainty of access to upland areas for responsible recreational users on the basis of a voluntary agreement with all the landowners and commonage shareholders in that area.

Xxxxx Xxxxx is one of a small number of areas where this model is being trialled. Others include Binn Shléibhe near Clonbur, Co. Galway and the MacGillycuddy Reeks in Co. Kerry.

A positive message of welcome and clarity regarding access points to the hill, will make it easier for visitors to enjoy the beauty of Xxxxx Xxxxx, in a way that doesn't interfere with farming or the privacy of local residents. Having this agreement in place will also make it easier to promote this area to walkers, which will bring benefit to local businesses and the community in general.

#### **Who is involved?**

The Xxxxx Xxxxx Mountain Access Project is being co-ordinated by (*insert name of local group*). The main point of contact for landowners and commonage shareholders in the Xxxxx Xxxxx Mountain Access Project is the Farmers' Liaison Officer, Xxxxx Xxxxx of Xxxxxxxx (087 xxxxxxxx). Enquiries about the project can also be made to Xxxxx Xxxxx.

The idea for the Mountain Access Project has been developed by Comhairle na Tuaithe, the national body with responsibility for outdoor recreation, which comes under the Department of Environment Community & Local Government. Comhairle na Tuaithe includes representation from the three main farming organisations, recreation groups and organisations with a responsibility or interest in outdoor recreation.

The Mountain Access Project has been endorsed by the Irish Farmers Association, the Irish Creamery Milk Suppliers Association and the Irish Cattle & Sheep Farmers Association.

#### **Where is the Xxxxx Xxxxx Mountain Access Area?**

The Mountain Access Area is all the land above the hill ditch on Xxxxx Xxxxx. This takes in the commonage areas of xxxx, xxxxx, aaaaaaa and vvvvv.

### **Aren't people walking there already?**

Yes, this is an area where people already walk, the difference with the Mountain Access Project is that it should now be clearer to people where they can get up the hill, and parking has been provided to prevent roads and gateways being blocked. An information panel will be erected in each car park to make it clear to those visiting the Mountain Access Area that they are using privately owned land with the goodwill of the owners, and that they must take responsibility for their own safety.

### **Will there be paths made on the mountain?**

There won't be paths created on the mountain, unlike a marked walking trail, people can wander freely within a Mountain Access Area. The car-parks and access point into the hills will be maintained by participants in the Rural Social Scheme (*change if there will be another arrangement in place*). If the mountain starts to show wear and tear from walking activity the group (*name it*) will address this.

### **Will people gain rights on the land?**

No, this project is based on respect for land ownership rights. Public enjoyment of the Mountain Access Area is based on a permissive agreement with all the landowners in the area; this will not create a legal right of access. Participation in this project will not lead to the establishment of public rights of way on your private land or within the Mountain Access Area.

### **What if somebody gets injured?**

People using the Mountain Access Area will be advised that they are using the area at their own risk. To give reassurance to landowners, a full indemnity is in place so that nobody can sue a landowner should they get injured.

### **What if I have a question, or if a problem arises?**

If any difficulty arises with people using the Mountain Access Area, please contact the Farmers liaison Officer, Xxxxx XXXXXXXXX on 087 xxxxxxxx.

## Appendix 2 - Principles to guide the management of path erosion in Ireland's upland areas



### Context

Ireland's mountain areas are our largest expanses of semi-natural habitats, a huge natural asset, which we have a duty to protect for future generations. Due in part to Ireland's wet climate and peaty soils, continued growth in outdoor recreation activities is impacting on many of our mountains, with deep and wide eroded paths becoming more common.

The purpose of the Helping the Hills initiative is to advocate a considered, quality approach to managing this erosion and to ensure that interventions do not detract from the character of the upland environment. It is hoped that Helping the Hills will become a network of people and organisations sharing experience and learning in the funding, management and repair of upland paths.

In the context of these draft principles a 'path' means a line that is visible on the ground, which may be manmade, but in most cases has evolved through repeated footfall. This is distinct from developed walking routes that have directional marking, that are often referred to as trails and are normally at lower levels. The geographic scope of these principles is primarily unenclosed hill and mountain land, typically found above 300m, but also includes other semi-natural areas such as land along the coast. For the purpose of this document these areas are referred to collectively as 'uplands'.

Ireland's upland areas incorporate state-owned and privately-owned land; with the privately-owned land being made up of commonages with multiple shareholders and individually owned land parcels. With the continuing growth in outdoor recreation activity, mechanisms may be needed to collectively address the sustainable management of upland areas, and to tackle issues arising from recreation activity such as parking, disturbance of livestock and upland path erosion.

It is hoped that through the Helping the Hills initiative a shared approach to the management of upland path erosion can be achieved through adoption of these principles.

*The first draft of these principles emerged from the Helping the Hills conference in Glendalough, September 2012. This version (March 2014) incorporates amendments which arose from discussion in two workshops at the Helping the Hills seminar in Dublin on 14<sup>th</sup>*

*November 2013. The seminar was attended by over 50 people, drawn from a variety of backgrounds who shared an interest in land management, outdoor recreation and path repair.*

## **Principles**

### **Communications**

1. Management of upland paths should be informed by consultation with all stakeholders, including landowners, recreational users, relevant statutory bodies and the local community.
2. When path repair work is in progress, temporary signage and other communications should explain that the work is being carried out to protect the natural environment.
3. Information on the responsible and sustainable use of upland paths should be available to all users.

### **Ethos**

4. All those who go into the uplands, whether individually or as part of a group, have a responsibility to minimise the impact of their activities on the natural environment
5. Upland pathwork should be carried out within a coherent and agreed management framework, which establishes the rationale for works, their relative importance and includes a commitment to long-term maintenance.
6. Path repair or construction in the uplands should only be carried out when this is necessary to protect the environment.
7. Any work carried out should strive for minimum impact on the essentially wild character of the landscape.
8. The more remote the path, the more stringently the criteria for path repairs should be applied. This will be a matter of judgment, but in general, the more remote or wild the location, the less acceptable an obviously engineered path will be.
9. Those involved in the design, implementation and supervision of upland pathwork should preferably be technically competent and suitably experienced.
10. Private landowners have to be involved in decision-making regarding erosion management on their land; however they should not be expected to bear the cost of repairing paths that have been eroded through recreational use.
11. A sustained multi-annual commitment of resources to upland path management will be sought, so that small scale continuous maintenance can become the norm, with the aim of preventing the need for major repairs.

### **Practice**

12. Pathwork should be of the highest standard of design and implementation, normally using locally sourced materials in harmony with the site. The best or most sensitive solution and quality of work should always be sought, not necessarily the cheapest, and this should be reflected in the public procurement process.
13. Good environmental practice is paramount. Techniques used should protect existing vegetation and cultural remains, and the site should be left in as natural a state as is practicable. This is particularly important in areas designated for nature conservation or landscape value.
14. The addition of intrusive features such as fences, waymarkers, inappropriate signage and cairns should be avoided.
15. Machines can provide valuable assistance in upland pathwork; however they must be used sensitively and appropriately by a skilled operator. The use of machines should be in accordance with all other principles.
16. It should be an objective in any upland path work to train and upskill local people with a view to establishing a long-term skills and employment base, although it may be necessary to bring in workers with relevant expertise from outside the area.

## Appendix 3 - Draft design for Mountain Access Project information sign

Work is continuing on the development of a design template for an information sign for Mountain Access Areas. The intention is to develop a sign which looks different, which is not text-heavy and which uses positive language and graphics to encourage users to engage responsibly with the area. A map showing the Mountain Access Area will be the centrepiece of the sign. The sign will also incorporate local logo, website address and contact details.



## Information sign – totem design

