

Access & Conservation

The latest news from Helen Lawless, Hillwalking, Access & Conservation Officer

It's good to talk



Helen Lawless

to the Irish countryside. Those who enter onto land that is owned by others, for the purpose of recreation, do so due to the goodwill and tolerance of the landowners. Although there are relatively few places on the Irish hills where people cannot enter, the growth in the popularity of hillwalking and other recreation activities is putting a strain on the goodwill that we depend on.

The inclusion of a route description in a printed or online publication, or a track on a map, does not mean that there is a right of entry or that the owner has given permission. It is best not to take access for granted, even in areas that you or your club have used for years. If an opportunity arises to speak with a landowner, check if access is permitted on your intended route. This type of engagement makes a positive contribution to the relationship between recreational users and the local community. In the vast majority of cases access will be allowed.

Situations where permission is critical

It is understandable that farmers who have allowed recreational activity over the years could feel they are being taken advantage of when they see large groups on their land, if somebody is operating a commercial activity without their consent, or if they see a route on their land published in a newspaper. Walking festivals crossing land without the owner's permission have been a factor in a number of recent access issues.

Where there are plans that involve any alteration to the land, such as the erection of marker posts for a walking route, or the placement of fixed protection for rockclimbing, every effort should be made to secure the permission of all landowners affected.

Inadequate consultation with landowners may result in the erection of 'Private Property' signs and loss of access. It must be acknowledged that it is not always easy to identify landowners, and that in cases where there is commonage, or a patchwork of small holdings, you could have many different owners on one

Mountaineering Ireland has dealt with an increased number of access issues across the country during the past few months. While we have no reason to believe that this is anything other than a coincidence, it has highlighted some recurring themes in relation to access difficulties. One thread that runs through more than half of our recent access problems has been a failure to communicate well with landowners.

Helen Lawless reports

Let's not take access for granted

All land in Ireland is in private or state ownership. Walkers and climbers should be aware that there is no legal right of access



Private property sign aimed at hillwalkers.
Photo: Helen Lawless.

hillside. In general, if you ask locally you will be directed to the people you need to speak with. The Countryside Officers employed by the District Councils in Northern Ireland and the Rural Recreation Officers working in twelve areas in the south may also be of assistance.

A framework to manage access?

The **Mountain Access Scheme** currently being piloted by Comhairle na Tuaithe, on Carrauntoohil and at Binn Shléibhe near Clonbur, has the potential to provide a framework for the management of access (see *IML 96*, pages 56-57). This is something which Mountaineering Ireland sees as necessary in the context of increased recreational pressure and, while we are working through Comhairle na Tuaithe to have the Mountain Access Scheme extended to other areas, that will take some time.

One of the key attractions of the Mountain Access Scheme is that participating landowners will be indemnified against any claims by recreational users who are injured on their land. Although the law on occupiers' liability makes it clear that

participants in outdoor recreation activities should be aware of the risk that is inherent in their activities and take responsibility for their own actions, some doubt remains and you may come across landowners with genuine fears that they could be held liable.

Mountaineering Ireland has drafted a public information leaflet on the subject of access and occupiers' liability to deal with the main questions and misunderstandings that arise for both landowners and recreational users. It is hoped this leaflet will be published by Comhairle na Tuaithe later in 2011 and promoted by Comhairle members within their respective organisations.

We all have a responsibility

In the absence of a framework to manage recreational access, Mountaineering Ireland is working to improve the situation at a local level by supporting members in resolving access issues that arise in their area, liaising with Rural Recreation/Countryside Officers and occasionally getting directly involved. An important lesson from this experience is that it takes a lot more time and energy to resolve issues than to prevent them in the first place.

While it is not always practical to speak with every person whose land you're going to cross, when an opportunity arises, walkers and climbers are urged to engage with landowners. As

Wicklow Countryside Agreed Access Route
ZIG-ZAGS, GLENMALURE

This access route leading towards Cloghernagh and Lugnaquilla was a hunting path used in the 1800's by the Parnell family who lived in Avondale Estate. The trail extends for 1.5km and is marked by green arrows. The route crosses private land by courtesy of the owners. Dogs are not allowed.

The trail has been re-constructed by Mountain Meitheal's volunteers. Please respect the work that has been carried out to improve the trail and try to "Leave No Trace" of your visit.

If you plan to go onto the open hillside, you should have appropriate footwear, clothing, a map and compass and know how to use them.

Wicklow Countryside Access Service

Sign on agreed access route at the Zig-zags, Glenmalure, Co Wicklow. Photo: Helen Lawless.

one farmer said at a Mountaineering Ireland meeting in Galway earlier this year, "It's nice to be asked. Farming today is a quiet life – you only have your dog to talk to. You don't like to see the walkers turning away from you."

This and other practical actions, such as taking care not to block gateways or narrow roadways when parking, not taking dogs on the hills, and avoiding damage to walls and fences, will help to maintain the quality of the relationship between the recreational community and the landowners that we rely on for our activities ■



Green Tip

The building boom is over

Why do some of us feel a need to make our mark by building or adding to cairns when we visit the mountains?

If it's to guide others on their journey, think again. Cairns can give less experienced walkers a false sense of security or even mislead them. For example, a new cairn towards the west side of Lugnaquilla's summit plateau is mistaken by some as being the true summit.

Summit cairns are an established part of our mountain landscape, but do we need to add a rock to the cairn? Why not just touch it or take a photograph? Some of our larger mountain-top cairns are burial sites which are thousands of years old and should be respected as archaeological sites.

Moving stones can exacerbate erosion by exposing soil; it also disturbs the small creatures that live beneath the stones.

Some people see a profusion of cairns as a form of graffiti. A tower of stones or a long stone turned to point skywards make unnatural shapes that detract from the character of the hills. Let's show more respect by leaving the mountains as we find them ■

Review of events policy

TO ENCOURAGE best practice in organising the many walking festivals, fundraising and challenge events that take place in the Irish mountains Mountaineering Ireland is currently reviewing its events policy (see *IML* 97, pages 62-63).

As these events have an impact on everybody who uses the mountains, all members are urged to take a few minutes to read the revised draft policy and to give their feedback. The draft will be published shortly on www.mountaineering.ie.

Members are also encouraged to participate in one of the following **consultations** on the draft policy:

- Belfast** Tuesday, 25th October
- Dublin** Wednesday, 26th October
- Clonmel** Tuesday, 15th November
- Killarney** Wednesday, 16th November

Each consultation will take place at 8:00pm. Venue details will be published on www.mountaineering.ie and a summary note will be posted on the website after each consultation.

The draft policy will also be discussed briefly during the Members' Forum at Mountaineering Ireland's **Autumn Gathering** in Leenane – at 6:00pm on Saturday 15th October.

It is intended that a final draft of the policy will be published early in 2012 with a view to adopting it at Mountaineering Ireland's AGM in March 2012 ■