

# Access Matters



**Access is absolutely fundamental for anybody with an interest in walking in the Irish hills or countryside. Helen Lawless, Hillwalking, Access & Conservation Officer with Mountaineering Ireland (MI) provides some useful advice for walkers and an insight into MI's work in this area.**

## Let's not take access for granted

All land on the island of Ireland is owned; most of it is privately owned with a small proportion in State ownership. Walkers should be aware that there is no legal right of access to the Irish countryside. When we enter onto land that is owned by others, for the purpose of recreation, we do so due to the goodwill and tolerance of 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 increased 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 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 walking group 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 walkers and the local community. In the vast majority of cases access will be allowed.

## How access problems can arise

Continued growth in the number of people using the countryside for recreation results in congestion on narrow roads, blocked gateways and loss of privacy for local residents. Other impacts include damage to fences and disturbance of livestock. An increase in charity fundraising events in the uplands has added to the pressure, as has the development and promotion of areas for walking tourism. It is understandable that tension could arise if commercial activity providers are guiding clients on private land without the owner's consent. The publication of a route in a book, or a festival walk crossing land without the owner's permission have been tipping points in many access difficulties. These examples illustrate the importance of consultation, and the need for a framework to manage the increased level of recreation activity in the Irish hills and countryside.

## What is Mountaineering Ireland doing about access?

As the national representative body for hillwalkers and climbers, MI's policy is that we are seeking reasonable access for responsible users. Our aim is to have open, unrestricted access on foot to unenclosed hills, mountains and coastal areas throughout Ireland. Where there isn't direct access to these areas from the public road, access should be achieved via routes leading from the public roads and car parks, through or around the enclosed fields out onto the open hillside.

Mountaineering Ireland pursues its access aim, primarily through involvement in Comhairle na Tuaithe (the Countryside Council) and the Countryside Access & Activities Network (CAAN) in NI, and through building relationships with other upland stakeholders.

During 2011 MI responded to a number of consultations including: Sport NI regarding access, Department of Environment NI on National Park legislation, Forestry Commission (NI) regarding bye-laws, Coillte's thirteen District Strategic Plans, proposals for a National Landscape Strategy and implementation of Comhairle na Tuaithe's National Countryside Recreation Strategy. MI's submissions are available on [www.mountaineering.ie](http://www.mountaineering.ie).

In all communications with Government bodies, MI emphasises the need for recreation management and the fact that investment is essential if this sector is to fulfil its potential. As developments in NI are covered elsewhere in this issue, two of Comhairle na Tuaithe's current activities are highlighted below.

## Pilot Mountain Access Scheme

The Mountain Access Scheme currently being piloted by Comhairle na Tuaithe, on Carrauntoohil and at Binn Shléibhe (Mount Gable) near Clonbur, has the potential to provide a framework for managing access.

By agreeing access with the landowners on a mountain, producing a map showing designated access points, indemnifying the

landowners, providing parking and any infrastructure required to sustain recreational use, the Mountain Access Scheme sets out to manage recreational enjoyment of mountain areas in a way that minimises inconvenience for landowners and local residents and means that use of the area can be promoted with clarity and confidence.

Mountaineering Ireland is strongly urging Comhairle na Tuaithe to formalise the Mountain Access Scheme and extend the pilot to at least 6 other areas in 2012 so that the viability of the scheme is fully tested. The Mountain Access Scheme is a relatively low cost model and the investment it requires will be re-paid through sustainable management of Ireland's upland areas.

## Dealing with liability concerns

Although the law on occupiers liability makes 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 sued and even held liable if somebody gets injured on their land.

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 in the Republic of Ireland. This leaflet should be published by Comhairle na Tuaithe early in 2012.

## We all have a responsibility

Mountaineering Ireland is working on behalf of all hillwalkers and climbers to secure and improve access to Ireland's mountains and coastal areas. You can support this work, and strengthen your representative organisation by joining MI.

Perhaps more importantly you can also contribute through your own actions. While it's not always practical to speak with every person whose land you're going to cross, when an opportunity arises, walkers are urged



to engage with landowners. As one farmer said at an MI facilitated 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 that show respect for people living in upland areas, 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.

An important lesson from MI's experience in dealing with access matters is that it takes a lot more time and energy to resolve issues than to prevent them in the first place.

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### **Enjoy the hills responsibly**

**Respect property** - Most of the Irish countryside is privately owned, including mountain land and marked walking routes. As there is no legal right of entry to private land, walkers depend on the goodwill and tolerance of landowners. To maintain this goodwill, walkers should act responsibly and respect landowners' wishes.

**Park carefully** - Take care when parking at gateways or on narrow roads, remember that large farm vehicles or emergency services may need access. In car parks, avoid wasting space between cars. Do not leave valuables in your car.

**Dogs can cause problems** - Dogs may chase or frighten farm animals, wildlife and other people. Avoid taking dogs on the open hillside at any time of the year unless you have the landowners' permission to do so.

**Prevent erosion** - Keep to the path where there is one. This reduces erosion, damage to vegetation and disturbance of wildlife. Wearing gaiters makes it easier to walk on muddy paths.

**Bring your litter home** - Litter detracts from the beauty of the countryside and can be hazardous to people and animals. Carry a small bag to take away all litter, including biodegradable items such as fruit peels and tea bags.

**Put something back** - Make a conscious effort to use the services and spend money in the area where you are doing your activities.

For more information on how you can reduce the impact of your activities on the environment and other people, visit

[www.leavenotraceireland.org](http://www.leavenotraceireland.org)

