



Development of a New 10 Year Outdoor Recreation Action Plan for Northern Ireland

Response to Public Consultation from Mountaineering Ireland

March 2012

Introduction

Mountaineering Ireland (MI) welcomes the preparation of a new 10 year Outdoor Recreation Action plan for Northern Ireland. Much has been achieved since publication of the Countryside Recreation Strategy in 1998. The outdoor recreation landscape has also changed considerably in the last decade. This submission provides Mountaineering Ireland's response to each of the questions posed in the consultation paper published December 2012 by Sport NI, NIEA and NITB.

Responses to consultation questions

Question 1

Do you believe that the vision and aims capture the expressed wish to further develop outdoor recreation opportunities in Northern Ireland?

1.1 Vision

The vision is not particularly inspiring, perhaps due to the use of the verb 'continue'. It would be helpful if the word 'sustainable' was qualified or explained. A sustainable culture of outdoor recreation requires investment in education, management of recreation and infrastructure so as to protect the natural environment from the negative impacts that can arise from outdoor recreational activities.

Developing a 'dynamic culture' of outdoor recreation requires more than a critical mass of activity and infrastructure, a greater degree of acceptance and engagement by host communities must also be nurtured. The work of the North West Wales Outdoor Partnership provides a positive example - <http://www.partneriaeth-awyr-agored.co.uk/english/about-us.php>.

1.2 Aims

The first and fourth aims seem to 4.3 overlap and could perhaps be combined. The second aim on the other hand embraces so much that it is difficult to digest. It might work better if participation and infrastructure were addressed through separate aims.

Question 2

What do you believe are the priorities in terms of legislative or policy reviews that need to take place to develop outdoor recreation?

2.1 Access

While the Access to the Countryside (Northern Ireland) Order 1983 provides a range of mechanisms to improve public access to the countryside, the procedures involved are cumbersome and the legislation doesn't place any obligation on district councils to create and maintain an access infrastructure in their areas. As a result, many of the councils do not exercise these powers and there is no long term certainty regarding access to the countryside, even in iconic tourist areas. MI believes that the current legislation is inherently flawed, a matter first highlighted by Countryside Recreation Northern Ireland to the Department in the 1994 Access to the

Northern Ireland Countryside Report. This is a significant constraint to the development of outdoor recreation in Northern Ireland and should be addressed as a priority.

A right of access to all publicly-owned lands (approximately 6% of Northern Ireland's land area) should be incorporated in updated access legislation. Much of this land is already used on an informal basis for recreation. A legal right of access for recreation on public lands could assist in gaining the confidence of private landowners regarding recreational use of private land.

2.2 Occupiers liability

Despite a positive claims record, there remains genuine fear in the landowning community about exposure to liability for injuries sustained by recreational users. There is also confusion as to the duty of care owed to those entering private land for the purpose of recreation. It is MI's assertion that landowners whose land is used for recreation, with or without their permission, whether on a *de facto* basis or through any of the provisions of the 1983 Access Order, should not owe recreational users entering their land the higher duty of care owed to visitors. It would be constructive if this could be clarified through legislation.

Furthermore, MI recommends that all landowners in AONBs should be indemnified for any claims that might arise from recreational use of their land. Mechanisms for landowner indemnity are currently being put in place by the Department of Environment, Community and Local Government in the Republic of Ireland to support a pilot Mountain Access scheme.

2.3 National Park legislation

MI urges the Minister of the Environment to move forward with the agreement of national park legislation. The Sandford Principle "Where irreconcilable conflicts exist between conservation and public enjoyment, then conservation interest should take priority" underpins the management of national parks in England, Scotland and Wales. It is an excellent guiding principle and should be incorporated into National Parks legislation for Northern Ireland.

The 2011 consultation document on enabling legislation for national parks placed too much emphasis on tourism and economic factors, and not enough on the protection and sustainable management of special landscapes. While economic benefit should flow from a national park, this will only happen where a high quality landscape is well managed, otherwise it is a vacuous branding exercise and any gain will be short-term only.

Question 3

Can you suggest innovative solutions to these issues and can you give examples from other areas / countries?

3.1 Access legislation

Scotland is widely regarded as having the best access legislation from a recreation perspective, the fact that the law requires that access rights are exercised responsibly is particularly welcome. This provides a lever for preventing and dealing with poor behaviour, and also recognises in law the ethic of personal responsibility that is fundamental to most outdoor recreation activities.

3.2 Occupiers liability

The Republic of Ireland 1995 Occupiers liability Act recognises a third category of entrant onto land, a 'recreational user' and clarifies that the duty of care owed to such entrants is minimal, that is not to deliberately injure the person or damage their property. Furthermore, the 1995 Act makes clear that the duty of care is not increased if the occupier grants the recreational user permission to enter onto the land. The fact that the same situation does not exist in Northern Ireland can undermine the quality of the relationship between landowners and recreational users. For example, walkers may avoid a landowner believing that the landowner does not wish to be asked for permission as this would increase his duty of care. The landowner on the other hand may be annoyed that the walkers are avoiding him and see their behaviour as disrespectful.

3.3 Sandford Principle

Incorporation of the Sandford Principle in National Parks legislation, as referred to in 2.3 above.

Question 4

What needs to be done to give outdoor recreation a higher priority within the Executive, Departments and Local Authorities?

4.1 Department level

Including recreation in the Department name would raise the profile of recreation, it is also a more meaningful term than leisure. MI recommends that the Department name should change to the Department of Culture, Arts, and Recreation.

4.2 Sport NI

Within Sport NI there should be an outdoor recreation unit. When considered in terms of numbers participating, the age-spread of participants and the potential to integrate outdoor recreation activity into healthy, active lifestyles, it quickly becomes clear that outdoor recreation is not niche. Unlike other areas of sports, most outdoor recreation activities are experiencing a growth in participation. There is already a strong outdoor recreation culture in Northern Ireland, a dedicated outdoor recreation unit within Sport NI would support the continued development of this sector and achievement of the strategic vision.

4.3 District Councils

All District Councils should have an officer with responsibility for outdoor recreation matters. All such officers should have the same title and there should be consistency with regard to their role and job descriptions.

Question 5

What structures or partnerships do you believe are required for the delivery of the vision and its aims?

5.1 Commitment to working in partnership

Delivery of the draft vision will require a combination of statutory, non-statutory and voluntary bodies working in partnership. For such partnerships to be successful, clear ground-rules should be agreed between the partners and there should be a commitment to open communications.

5.2 Northern Ireland Outdoor Recreation Forum

While CAAN did initially operate as a Network, this seems to have fallen by the wayside, with recent network meetings consisting more of CAAN staff reporting on their projects. The creation of a Northern Ireland Outdoor Recreation Forum, hosted by Sport NI or CAAN, would provide an opportunity for relationship building, information exchange and greater engagement with national governing bodies of outdoor recreation sports.

5.3 District Council plans

Each District Council should have an Outdoor Recreation Action Plan to guide the council in providing infrastructure and supporting participation in outdoor recreation.

Question 6

What are the key issues that you have faced with respect to current funding arrangements?

6.1 Limited scope of funding

Although the majority of MI members are hillwalkers, and walking is the most popular recreation activity amongst adults in Northern Ireland, MI is not being supported by Sport NI for its work to develop the sport and promote responsible enjoyment of the outdoors. The current narrow scope of funding (focused on youth and performance development) constrains MI's ability to effectively support and develop hillwalking. This has knock-on implications in terms of participation, skill levels and ethics within the sport.

Question 7

How can the benefits of volunteering be fully realised to develop outdoor recreation?

7.1 Through support for NGBs and clubs

As stated in 6.1, increased support for NGBs can result in improved performance levels, and also ensure that the ethos and values within adventure sports are passed on to new participants. Clubs play a vital role in holding and passing on this knowledge. MI believes that better support for MI's role in club development, particularly in hillwalking, would strengthen the sport and enable volunteers within clubs to be more effective.

7.2 By valuing volunteers

The contribution of volunteers to outdoor recreation should be acknowledged and supported by ensuring that NGBs and clubs have meaningful volunteer roles, clear role descriptions, that some clothing / equipment are provided, and importantly that training and support are made available to volunteers. To leverage the huge volunteer capacity within outdoor recreation there needs to be

some up-front investment in the support and management of volunteers. It is MI's view that this is best done through NGB structures.

Question 8

What innovative approaches to investment in facilities and programmes could be developed?

8.1 Look at the quality of the experience

Decisions regarding investment in outdoor recreation should not be based solely on numbers and throughput, the quality of the participant's experience should also be valued. Education should be integral to any programme or facility that is supported.

8.2 Match potential sponsors with NGBs

MI recommends that Sport NI commission a study to look at opportunities for commercial sponsorship within outdoor recreation by profiling companies and brands to see where their values might align with NGBs. If Sport NI was to undertake this research, the exercise could benefit a number of NGBs by indicating which companies they should approach seeking sponsorship.

Question 9

Are there ways that users and commercial operators can contribute financially towards the "outdoors"

9.1 By paying for services

It has been shown, e.g. by Meelmore Lodge and recreational facilities elsewhere in the UK, that recreational users will pay a reasonable charge for provision of services such as parking, bike wash, showers etc where they see that a genuine effort is being made to meet their needs.

9.2 Commercial operators have a greater responsibility to contribute

It is MI's view that commercial operators have a much greater responsibility to put something back into the areas where they are making a living. Gathering information on contribution models used elsewhere would be useful, e.g. contributions to a locally managed fund to repair damage resulting from recreation activity, permit systems etc. Where outdoor education centres hire in commercial provider to deliver sessions the line between commercial and non-commercial becomes blurred.

An alternative approach might be to make it culturally unacceptable for activity providers not to put something back. This could be achieved through a programme promoting ecotourism principles and awards within the outdoor activity sector. The recently established Burren Ecotourism Network is attempting to do so in Co. Clare (<http://burrenecotourism.com/burren-ecotourism.html>) and individual companies such as Wilderness Scotland have made responsible tourism the core of their business model (<http://burrenecotourism.com/burren-ecotourism.html>).

Question 10

How can a more co-ordinated approach to promoting and marketing outdoor recreation or aspects of it be developed?

10.1 Link though outdoor ethics

Given the draft vision for the Outdoor Recreation Action plan, the focus must be on promoting sustainable outdoor recreation, any co-ordinated marketing efforts should be better linked with outdoor ethics. As indicated in 9.2 a programme to promote an ethos of social and environmental responsibility across the outdoor recreation sector would benefit host communities and the natural environment, and also enhance participants' experiences.

10.2 Further website development

Websites such as Walk NI, Cycle NI etc have made a valuable contribution to the development of outdoor recreation in Northern Ireland and these (including their associated social media activity) should be developed further. However an important proviso is that these channels should only be used to promote events and activity providers that have made a commitment to responsible practice. This could be subjective, but things like promotion of the Leave No Trace message, adherence to ecotourism principles, or Adventuremark accreditation could provide the necessary filters.

Question 11

How can a greater understanding of the importance of taking personal responsibility for the environment be achieved and what can be done to translate this into change?

11.1 Through greater support for NGBs and clubs

NGBs and their constituent clubs have a vital role to play in transmitting the ethos and values within outdoor recreation, however they must be supported to do this work (see response to Questions 6 and 7). NGBs can communicate the importance of personal responsibility for the environment through their websites and other publications, by initiating environmental awareness programmes within their sport, appointing club environmental officers and incorporating environmental responsibility into the syllabi for training schemes. These are just examples, the first step is a commitment at Board level within each NGB and Sport NI could be instrumental in achieving this.

11.2 Leave No Trace Ireland must be adequately resourced

The Leave No Trace programme is built on an ethos of personal responsibility for the environment. Leave No Trace Ireland currently has no main funding partner in Northern Ireland. This is undermining the viability of the programme as Leave No Trace Ireland needs resources to appoint full-time staff (e.g. an Education Officer to localise the Leave No Trace message and guide the development of educational resources for Ireland and possibly a Development Officer who can work with partners and expand membership will also be key to the effectiveness of the programme).

11.3 Prosecute those who cause damage

Those who cause damage to the natural environment need to be prosecuted, while it is a negative way to achieve behaviour change, it will raise awareness and it will help people see that Northern Ireland's natural environment is important and valued.

Question 12

Do you think that the Leave No Trace ethic is a solution to this or are other measures required?

12.1 Leave no Trace is a solution but it needs to be more visible

Yes, MI believes that the Leave No Trace ethic can be a solution, but the programme needs to be much more visible. It also needs the wholehearted backing of government departments and agencies; without that it cannot be effective. In addition to resources for the development of its education programme, Leave No Trace Ireland needs the capacity to support partners in integrating the Leave No Trace approach throughout their organisation, their work and their communications. This is essential to getting the name and message out there.

Question 13

What measures and activities could be developed to communicate the values and benefits of Outdoor Recreation within Northern Ireland?

13.1 Sport NI position paper on outdoor recreation

MI recommends that Sport NI articulate and communicate the benefits of outdoor recreation through agreement and publication of a position paper on this topic. This could draw on the Issues Papers prepared for the Outdoor Recreation Action Plan.

13.2 Increased funding for NGBs

Increased investment in outdoor recreation NGBs, aimed at strengthening the ethos and skills within these sports is essential. As indicated in 6.1, despite the popularity of hillwalking, Sport NI does not contribute to MI's work to support this aspect of our sport.

13.3 Greater funding for CAAN

Better core funding for CAAN would enable CAAN to do more policy work and also to be a voice for minority outdoor recreation sports that don't have the benefit of paid staff.

Question 14

What is required (locations, facilities, services and/or activities) to provide sufficient and sustainable access and facilities for outdoor recreation?

14.1 Improved access

Improved access to the hills, coast and countryside is the most fundamental need for participants in outdoor recreation activities. The growth in outdoor recreation activities is increasing pressure on

informal access arrangements; a more sustainable solution is needed and as stated in 2.1 this must be a priority. The benefits are potentially enormous, to provide just one example, research by the Irish Sports Council shows that individuals who have access to trails increase their recreational activity on average by 44% (Irish Trails Strategy, p17). We simply cannot afford the cost of our population not having easy access to recreation opportunities.

Question 15

How should strategic planning and provision at a regional and local level be developed?

15.1 By convincing key people

Demonstrate the value of outdoor recreation to key decision-makers, particularly ministers, senior civil servants and heads of state agencies. Identifying key people who already have a personal connection with outdoor recreation and cultivating their understanding of the needs of the sector could prove fruitful. The preparation of video case studies from different outdoor recreation activities might also help to secure political will and influence decision-makers.

15.2 Regional and local plans

The development of outdoor recreation action plans at regional or District Council level and the resources to deliver those plans will be important to realisation of the vision in the outdoor recreation action plan. Having an outdoor recreation 'champion' in each District Council (see 4.3 above) is essential.

Question 16

What are the current barriers to the development of facilities?

16.1 Funding and procurement procedures

While lack of funding is an obvious barrier in difficult economic times, it seems that current procurement arrangements do not always ensure best value for money is achieved. Current procurement policy favours larger firms; this may at times exclude individuals or small firms with appropriate skills and experience. One area where this can be an issue is in trail development where understanding of user needs and sensitivity towards the natural environment are vital. Sport NI should seek feedback on how procurement policy has impacted on the outdoor recreation sector and through the Department seek policy change where necessary.

16.2 Lack of vision

Many facility proposals seem to lack vision and innovation. For example, sports centres that include climbing walls as poorly thought out additions, rather than looking at the potential and characteristics of a climbing centre. The Outdoor Recreation Action Plan should encourage those funding and developing facilities to engage at an early stage with activity enthusiasts and to look at merging trends in other countries.

Question 17

What gaps are there in terms of research into outdoor recreation or key areas where further information is required?

17.1 Areas where research is required

MI sees many areas where recreation is needed to guide the development of outdoor recreation, these include:

- Research on the savings that arise from investment in outdoor recreation, including healthcare, justice and other savings.
- Research on the benefits to individuals from participation in outdoor recreation.
- Research on the effectiveness of the Leave No Trace programme.
- Environmental and social science research to guide and underpin Leave No Trace's educational programme.
- Ongoing programmes to monitor upland path erosion, so as to guide investment in path repair and maintenance.
- Duke of Edinburgh scheme – research former participants to identify at what stage they dropped their participation outdoor recreation activity and why.

Question 18

Are you aware of mechanisms that could bring a more strategic overview to capturing information?

18.1 Sharing of data

It would be beneficial to have greater sharing of data between statutory bodies and also the non-statutory sector. It would also be useful to identify barriers to the alignment of data, e.g. different categories under which data is gathered and over time to encourage standardisation so that datasets can be consolidated.

18.2 Mobile apps

The development of apps for mobile devices might facilitate data capture. This would enable rapid, low cost, user feedback on outdoor recreation facilities and issues.

Question 19

Have you any additional comments about key issues and challenges or the actions and activities required for the development of the Outdoor Recreation Action Plan?

19.1 Investment is needed

Outdoor recreation cannot be sustainable without investment in recreation management, education and infrastructure. Funding for ongoing maintenance of infrastructure is also vital.

19.2 Outdoor recreation is culturally significant

Northern Ireland has a strong culture of participation in outdoor recreation; support for NGBs is required to ensure that the ethos, values and skills of outdoor recreation activities are passed on to those who are entering these sports.

19.3 Clear actions and accountability are required

MI welcomes the development of a new Outdoor Recreation Action Plan. We urge Sport NI to ensure that the document has clear, measurable actions and that there is accountability for delivery of the actions, particularly at District Council level.

Further information

MI would be happy to elaborate on, or discuss, any of the ideas contained in this submission.

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