



## **MacGillycuddy Reeks Mountain Access Development Assessment**

**Response to draft report from Mountaineering Ireland - February 2014**

## **1. Introduction**

Mountaineering Ireland\* welcomes the opportunity to provide feedback on the draft report of the MacGillycuddy Reeks Mountain Access Development Assessment.

Mountaineering Ireland acknowledges the time and energy that Deirdre Lewis and Alan Hill have committed to this project, the assistance provided by South Kerry Development Partnership and the input of all those who participated in the consultation process. The landowners' willingness to participate in the Mountain Access Project is particularly welcome.

The MacGillycuddy Reeks hold very special importance for walkers and climbers. People from all over Ireland and much further afield are drawn by the drama and majesty of Ireland's highest mountain range. The Reeks are also significant as one of two pilot areas for Comhairle na Tuaithe's Mountain Access Project.

As the national representative body for walkers and climbers, Mountaineering Ireland has a keen interest in the conservation and sustainable management of all Ireland's upland areas. In submitting these comments we have combined a national perspective with feedback received from local Mountaineering Ireland clubs and individual members.

Following a consultation meeting in Beaufort on 31<sup>st</sup> January 2014, Mountaineering Ireland members confirmed their support for the principles which underpin the Mountain Access Project, and their willingness to work in partnership with other stakeholders, particularly landowners, to ensure the sustainable management of the MacGillycuddy Reeks. Mountaineering Ireland extends a broad welcome for the formation of the MacGillycuddy Reeks Mountain Forum and we look forward to contributing to the work of the Forum, through local Mountaineering Ireland representatives and from a national level.

## **2. The Mountain Access Project**

### **2.1. Mountaineering Ireland's Access Policy**

Mountaineering Ireland recognises that all land in Ireland is owned and that recreational users have no legal right of entry to any land; public or private. We acknowledge, and appreciate, that the vast majority of rural landowners have traditionally granted access to upland areas, as well as the general countryside. However, increased recreational activity has in certain places strained the goodwill of landowners and there is need for a mechanism to manage the frustrations that can arise for landowners and other rural dwellers, while also providing the certainty of access which is desired by recreational users.

Mountaineering Ireland's policy on access 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 enclosed fields out onto the open hillside.

Mountaineering Ireland's statement in response to Robert Dowds TD's 2013 private members' bill on Access to the Countryside outlines what Mountaineering Ireland considers to be the key requirements for sustainable outdoor recreation in Ireland (See Appendix 1).

## **2.2. Introduction of Comhairle na Tuaithe Pilot Mountain Access Project**

Mountaineering Ireland pursues its access aim, primarily through building relationships with other upland stakeholders, including our involvement in Comhairle na Tuaithe (the Countryside Council). In July 2009, following a legal review of the access situation in Ireland and neighbouring countries Eamon O Cuiv TD, who was then Minister for Community, Rural and Gaeltacht Affairs, met with the members of Comhairle na Tuaithe and outlined proposals for a Mountain Access Project which would give certainty of access in Ireland's upland areas, without the need for legislation. It was anticipated that the project could extend to 80% of upland areas within a three to four year period.

Mountaineering Ireland welcomed the Mountain Access Project at the time as it appeared to have all the features necessary to address the difficult issue of access on the basis of a voluntary agreement with landowners. While two pilot areas were quickly identified, Binn Shléibhe and Carrauntoohil (subsequently extended to the MacGillycuddy Reeks range), progress on the Mountain Access Project has since been extremely slow. This is in part due to a number of administrative and staffing changes, as well as the current economic situation. Mountaineering Ireland is concerned that five years into the project, the framework has not been put in place to adequately test if the core proposition of the Mountain Access Project is viable (See Appendix 2 for description of Comhairle na Tuaithe's Mountain Access Project).

## **2.3. The Mountain Access Project within the draft Reeks report**

It is surprising that there is scant reference in the draft report of the MacGillycuddy Reeks Mountain Access Development Assessment to the issue of recreational access to private land. Given that this report is likely to become a reference document on the subject of access, it is of critical importance that further background on the issue be included in the main body of the report. It would also be useful to highlight the key differences between the MacGillycuddy Reeks and the Binn Shléibhe pilot areas.

While the report indicates that the landowners are willing to participate in the Mountain Access Project, it is disappointing that the report doesn't appear to reach a clear conclusion as to the viability of the mountain access proposition. Indeed the statement below implies that the Mountain Access project as set out by Comhairle na Tuaithe is not acceptable and workable:

*'A new system to allow recreational access to the uplands, such as payments for path maintenance, tailored training schemes in farm-related recreational tourism and/or dedicated agri-environmental schemes must be investigated to support and assist sustained permissive access to the uplands into the future.'*

(p20, MacGillycuddy Reeks Mountain Access Development Assessment, draft December 2013)

The indemnity scheme for participating landowners is a critical and fundamental element within the Mountain Access Project. Despite the legal situation with regard to occupiers' liability; fear and concerns persist amongst landowners. We understand that since the draft report was received the Department of Environment, Community and Local Government has resumed negotiations with the State Claims Agency towards providing indemnity for landowners against claims by recreational users in both pilot projects, and potentially on a national basis. In the absence of an indemnity scheme, the Department should purchase an appropriate insurance policy for the two pilot areas to bridge the gap and respect the goodwill of the participating landowners.

The report mentions that the almost 100% private ownership of land marks the MacGillycuddy Reeks out as different to other upland areas (p23). This is not the case; there are many upland areas where almost all the land is privately owned.

As the Mountain Access project is intended to address a coherent mountain area, the MacGillycuddy Reeks Mountain Access Area should have included the National Park lands on Shehy Mountain, and on the eastern side of Purple and Tomies. Walkers would consider this to be part of the MacGillycuddy Reeks and this land is relevant to the management of recreation in the area.

The landowners' sense of not being respected by some of the growing cohort of commercial guides and activity providers operating in the MacGillycuddy Reeks was one of the primary reasons behind this consultation process. The consultation process failed to adequately address this issue which may add to the landowners' frustrations.

Mountaineering Ireland empathises with the issues raised by the landowners; indeed we share their concern about many of these including uncontrolled dogs, path erosion, the impact of large charity and challenge events, and the difficult economic situation within hillfarming. It is regrettable that there wasn't an opportunity during the consultation process for a joint meeting between landowners, recreational users and commercial guides. We hope that through the MacGillycuddy Reeks Mountain Forum there will be an early opportunity for such a meeting to take place.

### **3. Vision and structure proposed for MacGillycuddy Reeks Mountain Forum**

#### **3.1 Vision**

Although statistical evidence may be limited, the mountains and lakes of Killarney draw people to the area, and indirectly make a huge contribution to the economy of the area. However, the impact of increased recreation and tourism activity is exerting pressure, particularly on the natural environment and on landowners.

While the vision in the draft document provides a positive response to the visitor pressure in the MacGillycuddy Reeks, it is Mountaineering Ireland's assertion that the primary emphasis should be on ensuring environmental sustainability, as that is essential to supporting the livelihoods of landowners and local residents, and to providing excellent recreation experiences. The vision on p74 includes reference to environmental sustainability, however this is omitted from the diagram on p76. Although Mountaineering Ireland is largely supportive of the vision for the MacGillycuddy Reeks Mountain Forum, we could not endorse the vision as shown on p76. The agreement of a shared vision will be a vital early step in the formation of the MacGillycuddy Reeks Mountain Forum.

It is encouraging that through appropriate management and investment, other scenic areas of world renown, with high visitor numbers, have retained the beauty of their natural environment. The Lake District National Park in England provides an example, with 14.8 million visitors, bringing income of £994 million in 2012 (Cumbria Tourism, 2013). As noted on p68 of the draft report 57% of visitors to the Lake District National Park go hillwalking. While not an immediate priority, it would strengthen the case for continued funding if the MacGillycuddy Reeks Mountain Forum could identify the economic contribution the Reeks make to the area.

#### **3.2 Proposed structure for MacGillycuddy Reeks Mountain Forum**

Mountaineering Ireland believes that through diverse interests working in partnership, Mountain Forum groups can be instrumental in ensuring the sustainable management of Ireland's upland areas. While a number of Forum groups have been established in recent years, their structure, purpose and achievements vary. The Wicklow Uplands Council, which has been in existence since the late 1990s, is probably the best example ([www.wicklowuplands.ie](http://www.wicklowuplands.ie)). Strong leadership, a commitment to a shared vision underpinned by clear guiding principles, and modest ongoing State funding, appear to be the key ingredients for an effective Forum. It should be noted that it takes considerable time for trust and understanding to build up within such groups.

The structure that is proposed for the MacGillycuddy Reeks Mountain Forum is very different to the Wicklow Uplands Council, and it is not evident from the report what the proposed Reeks structure is based on.

It is not clear how the structure would work from a practical perspective and it seems cumbersome, with a Steering Group and five or more working groups. This is more complex than the structure of the Wicklow Uplands Council which has been operating for more than 15 years. It is likely that full-time paid staff would be required to service the proposed structure. Mountaineering Ireland suggests that the initial focus should be on getting the Steering Group in place, and arriving at a shared vision, before establishing sub-groups.

The composition of the Steering Group is of serious concern to Mountaineering Ireland. The Steering Group will require a broad range of skills to address the issues set out in the report and deliver on the vision. Most of these issues centre on the interface between recreation and farming. The knowledge, passion and insight of recreational users will be essential to the success of the MacGillycuddy Reeks Mountain Forum in addressing these issues.

At a meeting of project stakeholders on 15th January 2014, Mountaineering Ireland proposed that there should be two representatives from local mountaineering clubs, nominated through a process facilitated by Mountaineering Ireland. We are pleased to report that we have had a positive response from local clubs and that the Board of Mountaineering Ireland has selected two people from the nominations received, who have excellent knowledge of the Reeks and who we believe would bring valuable skills and make a positive contribution to the Steering Group. We would be disappointed if the Steering Group does not see fit to accept these two nominations.

The report (p78) includes Educational interests within the Recreational and Environmental stakeholder group; however it might be more appropriate to include this with Enterprise as almost all those providing education services in the Reeks are paid to do so. As engagement with Commercial Guides will be important to the success of the Forum, and likewise the relationship with the wider commercial sector, most notably food and accommodation providers, it may be appropriate to allocate two or even three seats under the Enterprise heading. Given the exceptional quality of the natural resource that is the MacGillycuddy Reeks it would also be appropriate to seek an Environmental NGO representative.

It is worth considering that the Mountain Access Project is testing a concept, which if successful, has the potential to be replicated in at least five other upland areas within Co. Kerry. Given the number of agencies represented, the Steering Group that is proposed for the MacGillycuddy Reeks could be replicated five or six times in Co. Kerry. Consideration should be given to an entirely different structure, where there is a countywide committee overseeing the various mountain access projects in Co. Kerry, with a smaller, more localised and 'hands on' group managing each Mountain Access Area. A smaller, enthusiastic group of interested parties might be more effective and could refer back to the countywide committee. The Wicklow Outdoor Recreation Committee may provide a useful model for a countywide committee.

## **4. Specific issues**

### **4.1. Tolled parking**

Mountaineering Ireland members have given a clear response that the proposed mandatory tolling of car-parking at Lisleibane and Breanlee is not acceptable. These car-parks were developed to manage out nuisance parking and this proposal will resurrect that problem. The example of Coillte Forest Parks such as Farran, Co. Cork is relevant, where a charge for parking results in roadside parking. Tolled car-parks could exacerbate problems by moving people to locations which do not have parking facilities. Tolled parking could quickly become a PR disaster. It is also likely that barriers, signage or any equipment associated with the charge would be vandalised.

Research has shown that introducing a mandatory charge for parking, even at a low rate, creates a barrier to participation, with recreation visits by lower income users decreasing (More, 1999 and Huchtala and Pouta, 2007).

We want to stress that Mountaineering Ireland members are supportive of a voluntary charge for parking, provided it is clear that the revenue will go into looking after the MacGillycuddy Reeks (see Appendix 3, photo of car park sign from Kinlochleven, Scotland).

Our members also support the right of landowners to diversify and increase income through the provision of farm-based car-parks and other services. We appreciate that not every landowner is suitably located for operating a car-park, but it is one example of how landowners can gain direct benefit by providing services to meet the demand from the high level of recreation activity in the vicinity of the MacGillycuddy Reeks.

### **4.2. Path erosion and the Devil's Ladder**

The continued growth in the popularity of hillwalking and other outdoor recreation activities is having an impact on Ireland's upland environment. Once-faint paths have evolved into worn and muddy lines, with the worst damage on blanket peat and steep ground. The high user numbers in the MacGillycuddy Reeks combined with steep terrain and considerable rainfall leave the Reeks susceptible to erosion. Amongst the locations in the Reeks where significant erosion is evident are the Devil's Ladder, the approach to Cummeenoughter, the top of O'Shea's Gully, the Heavenly Gates and the Zig-Zags on Cnoc na Toinne. The existence of many eroded routes in close proximity to each other may be due to the failure over many years to address the condition of the Devil's Ladder.

In 2012 Mountaineering launched the Helping the Hills initiative to advocate a considered, quality approach to the management of path erosion and to ensure that interventions do not detract from the character of the upland environment. Helping the Hills events to date include: a two-day conference which took place in Co. Wicklow in September 2012; a study visit to the Lake District and the Yorkshire Dales in September 2013; and a one-day seminar in November 2013 to share learnings from the study visit and to discuss the adoption of a set of guiding principles for the management of upland path erosion in Ireland (see

[www.helpingthehills.ie](http://www.helpingthehills.ie)). It is Mountaineering Ireland's strong recommendation that adherence to the Helping the Hills principles should be a requirement for any path work to be carried out in the MacGillycuddy Reeks.

Mountaineering Ireland is pleased to see the recommendation within the report for an audit of the path network in the Reeks to ascertain the extent of path erosion and to prioritise sections where erosion control work is required.

That said; immediate priority should be given to addressing the long-term damage in the Devil's Ladder. Following publicity about the Ladder during 2010, Mountaineering Ireland met with landowners on Carrauntoohil in October 2010 to discuss the Devil's Ladder and the Mountain Access Project. At that time the landowners agreed 'something needed to be done', however there wasn't agreement amongst Mountaineering Ireland members on the need for work or the type of work required. In April 2011 Mountaineering Ireland commissioned Elfyn Jones, an experienced path manager from Wales, to look at the Ladder and make recommendations. The Jones report was presented to Mountaineering Ireland members in November 2011 with a view towards achieving a consensus amongst local clubs. In February 2012 four Mountaineering Ireland clubs signed up to a statement on the need for repair of the Devil's Ladder and erosion management in the MacGillycuddy Reeks (see Appendix 4). In March 2012 this statement was endorsed by Mountaineering Ireland's AGM in Clonmel. In April 2012 Mountaineering Ireland met with the landowners again to discuss the report. At the time the landowners felt the commercial guiding issue should be addressed before any work was carried out on the Ladder. This was followed in early 2013 by the commissioning of the MacGillycuddy Reeks Mountain Access Development Assessment.

Stabilisation of the top section of the Devil's Ladder, as recommended in the Jones report, is a highly technical path work project, which will require considerable funding and a team with experience of undertaking similar projects. If the landowner's agreement to this work can be secured, the first step is to carry out a more detailed assessment, and costing, which could perhaps be done in tandem with the path audit. As the Jones' report recommends, locals should be trained as part of the capital works on the Devil's Ladder to ensure those skills can be developed and retained in the area.

There is a distinction between the motivation, methods and materials that are suited to trail development at a low level and the repair of path erosion in a mountain setting. One of the key differences is with regard to safety. It is an important principle within upland path repair that work is carried out to protect the environment, not from the point of view of making the path safer for users. The Visitor Safety in the Countryside Group's *Managing Visitor Safety in the Countryside* book provides a very useful framework to guide this aspect of recreation management, particularly in how balance is achieved between management interventions and visitor self-reliance, see <http://vscg.co.uk/guiding-principles/>. An Irish branch of the Visitor Safety in the Countryside Group has recently been formed.

### **4.3. Large events**

In recent years there has been a huge growth in organised events taking place in Ireland's mountain areas. Events which are not well planned and managed can result in damage to sensitive environments due to poor route choice, they may detract from the experience of other users and they can affect relationships with landowners and other local residents. Examples of organised events which may involve large numbers include: walking festivals; challenge walks; adventure and multi-sport races; charity challenges and fund-raising hikes. As Ireland's highest mountain, Carrauntoohil is frequently the target for this type of event.

The draft report seems to focus on the management of events in terms of revenue generation, however there is much more to be gained from engaging with event organisers, in terms of raising awareness, so as to minimise negative impacts, and ensure that positive impacts are encouraged and acknowledged. Having a point of contact for event organisers is valuable. An online calendar of events for the MacGillycuddy Reeks may be helpful in connecting with event organisers, promoting good practice and trying to prevent clashes and congestion. The Steering Group should also consider what scale and type of event is acceptable within the scope of the Mountain Access permission, and how to deal with events that are outside of those parameters. The matter of permit fees or 'giveback' for large events requires consideration. It may be easier secure the co-operation of event organisers if a fee isn't charged, however a permit fee related to the number of participants may re-enforce the responsibility of the event organiser for the resource that is being used. If fees are collected it will be important to show that these are being used to care for the Reeks, e.g. through path repairs etc.

The development of national guidelines to foster better practice in the organisation of large scale outdoor activity events has been prioritised within Comhairle na Tuaithe's current action plan. Fáilte Ireland and Mountaineering Ireland are leading this project on behalf of Comhairle, see [www.outdooreventplanning.ie](http://www.outdooreventplanning.ie). This work may be of assistance to the Steering Group as it considers the management of high impact activity events in the MacGillycuddy Reeks.

### **4.4. Commercial providers**

While many of the commercial guides and activity providers operating in the MacGillycuddy Reeks are Mountaineering Ireland members, Mountaineering Ireland does not represent the interest of guides in this process. However we would like to make the following observations:

- There are many other commercial interests deriving income from recreation activity in the MacGillycuddy Reeks, e.g. service stations who sell fuel and sandwiches to walkers; accommodation providers who use images of the Reeks to promote their business etc. Many local businesses, the State and wider society, all benefit from the provision of access in the MacGillycuddy Reeks.
- A permit or licence arrangement for guides will be difficult to manage; not all guides using the Reeks are based locally; how would the fee be collected and how would you deal with a guide operating without a permit?

- Many guides operate in multiple mountain areas; would they have to pay a licence fee for each area?
- The scale of operations varies considerably; most guides work on low margins and even a relatively low fee could have an impact on jobs in the sector.
- Commercial guides and activity providers will have a role in influencing the attitudes and behaviour of their clients, who may return to the Reeks independently. By working with the guides, the Forum may be able to address some of its issues around the understanding and behaviour of recreational users.
- The State is currently considering the licensing of adventure providers; this is likely to involve a substantial payment by providers.

There are many dimensions to this issue, we feel that a much deeper level of engagement is required on this issue before a decision could be taken on the imposition of fees on commercial operators.

#### **4.5. Education**

Section 5.10 of the draft report highlights key issues to be addressed, many of which relate to the behaviour of recreational users. For example, there is a need to build understanding regarding land ownership in the MacGillycuddy Reeks, to raise awareness of the impact of uncontrolled dogs, to foster respect for the natural environment, and to make people aware of the risks involved in climbing the Reeks and the need to be properly prepared and equipped. To tackle these issues the MacGillycuddy Reeks Mountain Forum will need to engage in a concerted and sustained education programme.

Mountaineering Ireland is engaged in ongoing proactive efforts to achieve more responsible recreational behaviour across the island of Ireland. We are also partners in Leave No Trace Ireland, established in 2006 to encourage all those who use the outdoors for sport, leisure, education or commercial activity to minimise adverse impacts from their activities. The Leave No Trace programme has been endorsed by Comhairle na Tuaithe as the national programme to promote responsible recreation. Through becoming a partner in Leave No Trace Ireland the MacGillycuddy Reeks Mountain Forum would be able to gain access to the best current thinking on how to achieve better recreational behaviour.

The positive presentation of educational messages is key; targeting different categories of user and using a variety of delivery channels are also important. Developing a website for the Forum will play a part, but there will be a need to complement this with an app, regular social media activity and community engagement initiatives (e.g. with local schools).

Mountaineering Ireland is prepared to assist in addressing this aspect of the Forum's work programme, by providing advice and helping with the preparation and dissemination of messages for walkers and climbers.

#### **4.6. Training for guides**

With regard to training / capacity building (p87 of draft report), there is a framework of training schemes in place for those who wish to develop their own skills to travel in the

mountains (Mountain Skills), and to gain further skills with a view to leading others (Lowland Leader, Walking Group Leader and Mountain Leader Awards). The Lowland Leader Award introduced during 2013 is an entry level leadership award, for those leading groups on clearly defined tracks and trails. This is likely to be popular amongst people who do not have a background in hillwalking, but want to gain a recognised award for leading groups at a low level in their local area.

Mountaineering Ireland develops and administers these schemes, and accredits a nationwide network of course providers (c70 in total). A high proportion of these providers are based in Co. Kerry, with a number employed by Cappanalea Outdoor Education Centre. For further information see: <http://www.mountaineering.ie/TrainingandSafety/default.aspx>.

#### **4.7. Revenue generation**

Mountaineering Ireland members have expressed concern about the costs that will be involved in the various methods proposed to gather revenue for the MacGillycuddy Reeks Mountain Forum. We have already dealt with tolled car-parking and referred to the difficulty in applying fees to commercial operators or large events. Other proposals such as merchandise, the Sherpa bus and Friends of the Reeks membership will all require significant outlay to leverage revenue, as well as staff time to administer and promote these initiatives. The provision of clear information that money will go directly into the sustainable management of the MacGillycuddy Reeks will be important in securing the public goodwill required to reach the projected revenue.

The revenue generating model for the MacGillycuddy Reeks Mountain Forum requires careful consideration by the Steering Group; it would be beneficial in this regard to have financial expertise within the members of the Steering Group.

It is Mountaineering Ireland's strong recommendation that State funding should be the primary funding mechanism for the MacGillycuddy Reeks Mountains Forum, as has been the case with the Wicklow Uplands Council for the last 15 years. There is a very strong case for this given the importance of the Reeks as a valuable natural asset and a national, and indeed international, resource for tourism and recreation.

#### **4.8. Protection of landscape and natural environment**

As stated in section 3.1, it is Mountaineering Ireland's belief that the primary focus of the MacGillycuddy Reeks Mountain Forum should be on the sustainable management of the mountains. The quality of the natural environment is a key element in the MacGillycuddy Reeks' attractiveness to participants in outdoor activities; it is essential therefore for future plans to respect and protect that environment. Hillfarmers have a vital role within this, as set out in section 4.9.

While the MacGillycuddy Reeks are Ireland's highest mountains, the area is very limited in its physical extent. Ireland has very little undeveloped upland landscape and we are using it up at an unsustainable rate, which will be a great loss to succeeding generations. There are many changes happening in the Reeks landscape, some of which appear small, but

cumulatively they detract from the wild land appeal of the area. Examples include the erection of marker posts, new fences and memorials.

It will be important that the MacGillycuddy Reeks Mountain Forum strives to protect the integrity of the natural environment of the Reeks and to avoid further 'suburbanisation' of this special landscape. Maintaining a focus on *enhancing opportunities* for outdoor recreation, rather than *developing facilities* for outdoor recreation might be helpful in this regard.

#### **4.9. Economic challenges in hillfarming**

The landscape of the MacGillycuddy Reeks, and other upland areas across Ireland, is the product of centuries of low intensity agriculture. The labour intensive nature of farming in upland areas, combined with the low rate of return, are leading to land abandonment, with consequent decline in the quality of our most significant natural resources. The most cost-effective way to ensure the sustainable management of upland areas is in co-operation with the people who own and farm the land. The multiple values which hillfarming delivers to society (including landscape, recreation opportunities, carbon storage, biodiversity and water quality) justify public funding in farm payments that are linked to environmental outputs.

During 2012 and 2013 Mountaineering Ireland was instrumental in bringing together a range of stakeholders, including farming organisations, environmental organisations and government bodies involved in agriculture and nature conservation, to examine the opportunities to support the sustainable management of upland areas under the next Rural Development Programme (RDP). Arising from this a National Uplands Working Group was formed to develop proposals for a suite of measures that could be incorporated into the next RDP.

The National Uplands Working Group and Mountaineering Ireland have recently made submissions to the Department of Agriculture which centre on the urgent need for increased support for upland areas within the framework proposed for the next RDP. It is proposed that this could be best achieved through re-configuring GLAS+ as an outputs-based agri-environment scheme, thus avoiding the degradation of the uplands through active management to deliver positive environmental outcomes. Mountaineering Ireland's submission is available online, see:

[http://www.mountaineering.ie/files/Response\\_RDP%20consultation\\_Feb\\_2014.pdf](http://www.mountaineering.ie/files/Response_RDP%20consultation_Feb_2014.pdf).

## 5. Initial priorities for the MacGillycuddy Reeks Mountain Forum

Whatever the composition of the Steering Group, to maintain enthusiasm and build trust it will be important that the MacGillycuddy Reeks Mountain Forum achieves visible outputs in the short term. We welcome the news that the Department of Environment, Community and Local Government has committed funding to support the establishment of the group and initial actions, and that this has enabled South Kerry Development Partnership to leverage match funding.

Based on the discussion in Killorglin on 15<sup>th</sup> January 2014, Mountaineering Ireland would recommend the Forum concentrates on these actions, numbered in order of priority, for the initial period:

1. As the landowners in the area appear to be agreeable to the **Mountain Access Project** we urge the early completion of the project. Securing an **indemnity scheme** is essential within this, if this cannot be achieved quickly through the State Claims Agency an insurance policy should be purchased to cover the initial period. The same arrangement should be made available to the Binn Shléibhe Mountain Access Project.
2. The boundary of the mountain access area will need to be **mapped** and access points agreed. The development of **information panels** is essential to give visibility to the Mountain Access Project and to inform the public about the basis on which access is provided. This should be supported by a **website** and possibly an app, and social media activity as well as **data counters** at key access points.
3. From a Mountaineering Ireland point of view, priority should also be given to **nurturing the Forum** itself, putting in place arrangements for Forum membership and facilitating the agreement of a shared vision amongst members.
4. An **audit of the path network** on the Reeks should be commissioned to provide baseline information on the current condition of the paths, to highlight which sections may need repair in the short term and an indication of the costs involved. The audit should also involve a more detailed assessment of the work required to stabilise the top section of the **Devil's Ladder**. The overall audit and the assessment of the Devil's Ladder should be guided by the Helping the Hills principles ([www.helpingthehills.ie](http://www.helpingthehills.ie)).
5. Mountaineering Ireland believes the Forum should discuss the matter of **car park charges**, and urges that a voluntary contribution is sought, with assurance that this will go directly to the sustainable management of the MacGillycuddy Reeks. This is more likely to garner the public goodwill which is necessary to give the Forum a positive start.

6. The development of an **integrated management plan** embracing a conservation management plan, recreation management and addressing socio-economic issues in the area should be commenced so as to give the Forum clear direction.

## 6. Conclusions

The MacGillycuddy Reeks is a natural resource of very significant national and international importance, particularly for recreation and tourism. It is Mountaineering Ireland's assertion that the primary emphasis in this process should be on ensuring environmental sustainability, as that is essential to supporting the livelihoods of landowners and local residents, and to providing excellent recreation experiences.

In this submission we have affirmed Mountaineering Ireland's support for the landowners in the MacGillycuddy Reeks, and our belief that a Mountain Forum group could be instrumental in achieving the long-term, sustainable management of the Reeks.

The submission emphasises the importance of putting in place the elements required to complete the pilot Mountain Access Project in the MacGillycuddy Reeks without further delay. We hope that the concerns which we have highlighted can be addressed in the final report, and in the formation of the MacGillycuddy Reeks Steering Group. We have also noted what we consider to be the priority actions for the new Forum.

Mountaineering Ireland nationally, and our members at a local level, are committed to working in partnership with the landowners and other interests to manage recreation in a way that cares for the special environment of the Reeks, minimises inconvenience and creates opportunities for the local community. We hope that our submission will be read in the positive spirit in which it is written.

## 7. Further information

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

Please contact:

Karl Boyle (Chief Executive Officer)

Mountaineering Ireland, Irish Sport HQ, National Sports Campus, Blanchardstown, Dublin 15.

Telephone: 0 1 6251115

E-mail: [karl@mountaineering.ie](mailto:karl@mountaineering.ie)

Website: [www.mountaineering.ie](http://www.mountaineering.ie)

## \* Mountaineering Ireland

Mountaineering Ireland is the representative body for walkers and climbers on the island of Ireland. Mountaineering Ireland is recognised as the National Governing Body for the sport of mountaineering by both the Irish Sports Council and Sport Northern Ireland. The term mountaineering refers to a wide spectrum of activities that includes walking, rambling, hillwalking, rock and ice-climbing, bouldering and alpinism. Mountaineering Ireland has over 11,500 members, comprising 161 clubs and approximately individual members (October 2013).

The work of Mountaineering Ireland includes:

- Representing the interests of walkers and climbers;
- Providing a comprehensive range of services to members;
- Improving and securing access to Ireland's mountains, hills, forests, crags, and coast;
- Promoting conservation and responsible use of the upland environment;
- Encouraging safe practice and promoting skills and leadership training.

Mountaineering Ireland is an active contributor to many national organisations involved with the management of outdoor recreation including: Comhairle na Tuaithe (the national body with responsibility for outdoor recreation); the National Trails Advisory Committee (which provides guidance to the National Trails Office); Leave No Trace Ireland (established to promote responsible outdoor recreation), and various initiatives to support and improve standards in the delivery of adventure activities.

## 8. References

Cumbria Tourism (2013) *Economic Impact of Tourism - Visitor Volume and Value 2012*, summary online at <http://www.cumbriatourism.org/research/surveys-data.aspx>).

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## 9. Appendices

1. Statement on Access to the Countryside Bill 2013
2. Comhairle na Tuaithe Mountain Access document
3. Kinlochleven photo
4. Statement on Devil's Ladder

## Appendix 1



### Proposed Bill on Access to the Countryside

Labour TD, Robert Dowds is planning to put a Private Members Bill, on Access to the Countryside before the Houses of the Oireachtas during 2013. Mountaineering Ireland welcomes anything that brings greater certainty and improved access for Ireland's hillwalkers and climbers, and in that context is pleased to see fresh debate on this issue. Mountaineering Ireland has strongly recommended Mr. Dowds to have a full engagement with the main representative bodies for farmers. Anything less would undermine the goodwill extended to hillwalkers and climbers by Ireland's hillfarmers and potentially result in access closures.

The vast majority of private landowners in mountain areas freely allow recreational use of their land. Public enjoyment of the countryside for recreation, whether based on a legal framework or not, will always rely on co-operation between a range of stakeholders including private and public landowners, recreation groups, the public, tourism providers and community interests. With appropriate support and investment, our growing outdoor recreation sector will deliver not only significant health and well-being benefits to participants, but also social and much-needed economic contributions to rural communities.

The policy of Mountaineering Ireland is that we are actively seeking reasonable access to unenclosed mountain and coastal areas and a network of paths allowing for access to these areas for responsible users. Mountaineering Ireland fully recognises landowners' rights. The membership of Mountaineering Ireland has no wish to wander on arable or improved land, go through farmyards or walk past farmers' front doors. It is the freedom of the hills we seek, not blind alleys of confrontation.

Mountaineering Ireland has worked alongside the members of Comhairle na Tuaithe (the Countryside Council) since its formation almost a decade ago. Comhairle na Tuaithe has provided a useful forum to bring stakeholders together and build trust and co-operation. However, Mountaineering Ireland is concerned that in the last two years there has been little progress on Comhairle na Tuaithe's Mountain Access project. The two Mountain Access pilots have not been completed and an indemnity scheme critical to the project's viability has yet to be delivered. This lack of progress suggests little political interest in this vital aspect of our nation's recreation and tourism sectors.

The Dowds Bill is very similar to his Labour Party colleague, Minister Ruairí Quinn's Bill (2007), with some additions including access along river banks, lake shores and the coast. In 2007 Mountaineering Ireland welcomed the Quinn Bill. Mountaineering Ireland has suggested that Mr. Dowds examine why the 2007 Quinn Bill was not progressed.

### **Key principles**

Legislation alone will never address the recreation management issues that exist. Mountaineering Ireland believes that the following principles are key for sustainable outdoor recreation in Ireland:

- Co-ordination of countryside access to be the responsibility of a representative national structure, a properly functioning and resourced Comhairle na Tuaithe that benefits from strong political support;
- An up-to-date Strategy for Outdoor Recreation in Ireland;
- Recognition that Ireland's natural environment is limited in its extent and inherently fragile and that recreational enjoyment of these areas must be underpinned by a commitment to responsible and sustainable practice;
- A statutory right of access on foot to all publicly-owned land;
- A national, low level, trail network so that all communities have access to off-road walking;
- An access route network connecting public roads and car parks to unenclosed hill and coastal land. These could be permissive paths, leased paths or public rights of way;
- A legal framework for access to open, unenclosed uplands and coastal areas where there are either minimal or no active farming practices apart from rough grazing. This legal framework will ensure that there is no liability on the landowner for recreational users;
- Appropriate measures through the Rural Development Programme (Common Agricultural Policy reform) to focus payments to hillfarmers for the sustainable management of the landscapes they own. (This is being pursued through the National Uplands Working Group, which Mountaineering Ireland is a member of.);
- A considered and quality approach to erosion management on upland paths, guided by a national set of Upland Path Principles, promoted through an Upland Path Network (see [www.helpingthehills.ie](http://www.helpingthehills.ie));
- Rural Recreation Officers employed in local authority areas, especially those with uplands, to contribute to the planning and management of outdoor recreation in their area.

The proposed Bill on Access will be discussed at the members' forum at the Mountaineering Ireland Spring Gathering and Annual General Meeting in Gartan Outdoor Education Centre, 9<sup>th</sup> March 2013.

3/3/2013.

## Appendix 2

# Comhairle Na Tuaithe's pilot Mountain Access Scheme

### 1. Context

Difficulty regarding access to the hills was a central reason underpinning the establishment of Comhairle na Tuaithe (the Countryside Council) by Minister O Cuiv in January 2004. Since then Comhairle has agreed a set of access parameters (2005), published a National Countryside Recreation Strategy (2006), introduced a scheme to pay landowners for carrying out maintenance on marked walking routes (2008) and funded the appointment of Rural Recreation Officers (RROs) in 12 areas of the country (2008).

Comhairle is currently piloting a Mountain Access Scheme that potentially provides a solution to the difficult issue of access to the Irish uplands. Due to the administrative and Ministerial changes that occurred over the last two years progress on the pilot was delayed, but has recently gathered momentum.

### 2. The pilot Mountain Access Scheme

The Mountain Access Scheme is being piloted in two areas, Mount Gable in Co. Galway and Carrauntoohil, Co. Kerry. One of the features of this scheme is that it is based on a voluntary agreement with landowners, rather than any legal framework. To ensure the viability of the scheme is fully tested, it is intended to assess options for an extension in 2013 to a number of other pilot areas with different characteristics.

It is likely that the mountain or upland areas selected for any subsequent pilot phase would be heavily used for hillwalking and possibly other forms of recreation, they should be close to large centres of population and there should be a range of services (eg shops, transport and accommodation) available in the vicinity, if possible. The presence of a Rural Recreation Officer (RRO) in the area would make it easier to progress a pilot Mountain Access Area.

It has also considered that the next phase of pilots may include at least one area where the land is owned individually by a number of landowners rather than jointly as commonage, and that Mountain Access Areas will be developed, in partnership with Coillte, in areas where Coillte owns a significant proportion of the land, or where Coillte provides locally important recreation infrastructure.

### 3. How the Mountain Access Scheme works

By agreeing access with all the landowners in a defined mountain or upland area, 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.

Each Mountain Access Area should be supported by an RRO or a designated farmers' liaison officer. In consultation with relevant stakeholders the RRO will define a possible Mountain Access Area. 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 scheme. The benefits to private landowners are set out in section 4.

The RRO in consultation with relevant stakeholders including 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 would include an information panel with a map of the Mountain Access Area, a brief description of the area, plus safety and good practice tips for recreational users.

The Mountain Access Scheme is a different proposition to a marked walking route and this difference should be emphasised in all discussions with landowners, through all publicity, web-based information and the information panels to be erected at the Mountain Access Points.

The Rural Recreation Section is in the process of finalising an indemnity arrangement so that landowners in a Mountain Access Area will not be subject to claims should recreational users become injured while on their land.

As these are mountain areas, recreational users should be appropriately skilled and equipped to look after themselves; there may not be either marked or developed trails on the mountain, other than where trail repair or construction is required to avoid environmental damage. This difference could be emphasised through 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 the car-park to the open hillside) would be part of the Mountain Access Scheme in many areas. Many of these will already be popular informal access routes.

In addition to negotiation with public and private landowners, there will 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.

#### **4. Benefits to private landowners**

The Mountain Access Scheme 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.
- 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 will make 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 is scope for landowners to charge for parking or provide other services, as at Cronin's Yard in Kerry and King's Yard in the Galtees.
- 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.
- Increases in tourist numbers and recreational activity should provide enhanced job creation and development potential in these areas

As part of the consultation process with private landowners about the Mountain Access Scheme, a range of low-impact recreation activities could be allowed for, not just walking and climbing. Permission for such additional activities would be dependent on local landowners in the first instance. It would also 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 and possibly licences, e.g. events involving large numbers.

## **5. Conclusion**

There has been a significant growth in walking and other outdoor recreation activities in recent years, and there is a drive to maximise tourism revenue from the sector. Most outdoor recreation activities in Ireland take place on private land. Efforts are underway to increase the availability of State lands for such purposes also. The growth in these activities 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 pilot Mountain Access Scheme has the potential to develop into such a framework. The scheme addresses the landowners' key issues, and delivers certainty of access. This could be instrumental in moving to a situation where outdoor recreation in Ireland is properly developed, managed and promoted, so as to maximise the potential of this sector, while minimising any negative impacts.

Appendix 3

Community Trust car-park sign, Kinlochleven, Scotland



## Appendix 4



### **Repair of the Devil's Ladder and management of erosion on Carrauntoohil**

#### **Statement from the mountaineering community, February 2012**

As Ireland's highest mountain, Carrauntoohil is of local and national importance. The Devil's Ladder has for over 100 years been recognised as the 'tourist' route up Carrauntoohil. Increased numbers using this and other routes means that human-induced erosion is resulting in degradation of Carrauntoohil's natural environment.

It is the view of the local mountaineering clubs listed below and Mountaineering Ireland (MI) as the national representative body, that repair work should be carried out, in the near future, on the top section of the Devil's Ladder, to prevent the worsening of erosion and consequent impacts on other parts of Carrauntoohil.

The approach to this work must respect the fact that the mountain is privately owned land and within a Special Area of Conservation. The work proposed is described in Elfyn Jones' report "Options for Erosion Control on Devil's Ladder path, Carrauntoohil" (July 2011).

MI, in conjunction with local members, will:

- Approach the landowners on Carrauntoohil seeking their agreement to work being carried out if funding can be secured;
- Prepare a rough estimate of cost to repair the upper section (based on Elfyn Jones' report);
- Approach Kerry County Council seeking part-funding for the repair of the Devil's Ladder and also to discuss the wider and longer-term issues associated with Carrauntoohil;
- With Kerry County Council, approach Fáilte Ireland seeking part-funding for the work required.

In the above discussions, MI will emphasise that this is not just about repairing the top section of the Ladder, and that based on Elfyn Jones' report, the following should also be considered:

- The need for an ongoing commitment to maintenance and small-scale remedial work;

- An audit or survey of paths / tracks in the Reeks and a process of ongoing monitoring;
- Preparation of a strategic plan for visitor management on the Reeks.

**This statement from the mountaineering community is underpinned by the following principles:**

- Path repair or construction in the uplands should only be carried out when this is necessary to protect the environment and not from the perspective of making it easier or safer to climb the mountain;
- Any work carried out should strive for minimum impact on the essentially wild character of the mountains and the walking experience;
- Upland path work should be of a high standard of design and implementation using indigenous materials, sympathetic in colour and texture to the immediate surrounding area;
- The use of waymarks, cairns and other intrusive features, other than those traditionally established on summits and path junctions, will be discouraged;
- Rather than imply that the mountains are being made safer, all communications about upland path repair should emphasise the skills and equipment required for safe enjoyment of the Irish mountains;
- While it may be necessary to bring in workers with relevant expertise from outside the area, it should be an objective in any upland path work to train and upskill local people;
- A sustained 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.

### **Context**

At a consultation meeting with Mountaineering Ireland (MI) members in Killarney on 16<sup>th</sup> November 2011, it was agreed that MI would prepare a statement for approval by those clubs that attended.

This statement was initially endorsed by the following clubs:

**Killarney Mountaineering Club**

**Tralee Mountaineering Club**

**Laune Mountaineering Club**

**Dingle Hillwalking Club**

**The statement was endorsed by the wider membership at Mountaineering Ireland's AGM in Clonmel on 10<sup>th</sup> March 2012.**