

COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE AN ADVISORY COUNCIL TO THE DEPARTMENT OF THE ENVIRONMENT

POSITION PAPER ON ACCESS TO THE NORTHERN IRELAND COUNTRYSIDE

BACKGROUND TO CNCC

CNCC is the designated Statutory Advisory Council tasked with providing advice to appropriate arms of government on nature conservation, landscape and amenity issues involving the land area and coastal waters of Northern Ireland. This statutory remit, among other matters, empowers CNCC TO *“to enquire into and report on matters affecting the amenity or any area of place in Northern Ireland”*. This paper is submitted within that remit.

1. SCOPE OF THE PAPER

The wide range of existing countryside recreation activities variously require access to land, water and indeed air for enjoyment. However, for the purposes of this paper “access” is taken as access provision for informal recreation such as walking, cycling or horse riding rather than for organised activities. The focus primarily is on actual path provision with open access to certain uplands also being addressed.

2. RATIONALE FOR PAPER

CNCC feels that the provision of an independent position paper on access to the countryside may be timely for a number of reasons not least of which is the proposed enhancement of District Council powers under the Review of Public Administration (RPA). CNCC recognises that others have not been idle in seeking to increase the provision of public access in Northern Ireland and it intends that this independent overview and recommendations reflects and complements those initiatives.

3. RATIONALE FOR INCREASING ACCESS TO COUNTRYSIDE

Pursuit of increased access provision is justified on both social and economic grounds. The health benefits of walking are increasingly recognised with additional acknowledgement that walking in the countryside gives particular benefit to mental as well as physical well-being. Importantly this health benefit can deliver economic benefit by reducing demand on the government’s health budget. Recent research commissioned by the Countryside Recreation Network looked, inter alia, at the costs to the economy of England in terms of poor health brought on by inactivity. The findings suggested that the economic cost for England was in the range of £40 to £140 per person per year. An extrapolation of this finding to Northern Ireland means that an increase in physical activity by ten per cent of the Northern Ireland adult population would lead to annual economic benefits of between £6 million and £20 million. Investment in countryside access provision as a means of achieving these savings would appear to represent prudent economics.

Countryside recreation is important economically from the tourism perspective. The varied and attractive natural features of the Northern Ireland countryside are important in tourism terms and their enjoyment depends on assured access, more of which is necessary to optimise both the local and regional income from that sector. Evidence of the economic potential of walking as a tourist attraction can be obtained by reference to developments in Wales. The long distance Pembrokeshire Coast Path National Trail is estimated to attract some 300,000 walkers annually who spend in the order of £15 million in the local economy. The Trail supports some 570 jobs and

it is estimated that for every £1 spent on its upkeep, £57 is returned to the local economy. As regards the economic benefit of cycling and horse riding in Wales, it is estimated that these respectively contribute £18 million to the Welsh economy.

It is accepted that the figures quoted for Wales may not readily be achieved in Northern Ireland but they give some relative measure of what can be achieved given visionary policies here.

It can therefore be reasonably concluded that significant social and economic justifications exist for the pursuit and delivery of much wider provision of access for countryside recreation in Northern Ireland than currently exists. Furthermore, from the cultural aspect there exists a legitimate objective of maximising public access to the many built and natural heritage features in the local countryside.

4. DEVELOPMENTS OF NOTE IN REPUBLIC OF IRELAND AND GREAT BRITAIN

It is perhaps worth noting how in general terms countryside access is being provided and facilitated in the Republic of Ireland and in Great Britain.

4.1 REPUBLIC OF IRELAND – this topic has very recently been given close attention with a new ten-year trails strategy having been launched subsequent to a major public consultation.

The strategy is aimed in part at addressing lack of exercise with 66 per cent of the population not meeting the minimum levels of physical activity recommended by World Health Organisation but also it is intended to contribute to increasing the annual economic value of international walking and cycling tourism (presently valued at £144 million per annum).

A first step in implementing the new strategy is the setting up of a National Trails Office (NTO) linked to the Irish Sports Council with an annual budget of £429,000. The task of the NTO is to guide the implementation of the strategy including the establishment of new trails and the improvement of existing facilities. There are approximately 8,300 kilometres of developed walking trails including thirty-two National Waymarked Ways managed through a government-funded and supported committee system.

From a Northern Ireland perspective this initiative, and the strategic approach being adopted, gives food for thought particularly as the health and tourism benefits being sought have, at least, equal relevance here. There is also the issue of tourism being increasingly marketed on an all-island basis and it would be logical to strive for optimum trans-frontier harmonisation of approach to tourist centred countryside access.

The Occupiers Liability Act 1995 determines that a land owners' duty of care to a recreational user of his/her land is extremely limited being equivalent to the duty of care owed to a trespasser on that land. The Act also provides that a landowner should not intentionally injure persons or damage their property, or act "with reckless disregard" for their safety. The intention of this legislation had been to assure landowners that their liability in relation to recreational users of their land was minimal. However, there is evidence to suggest that it has not fully achieved its objective with an increasing tendency for exclusion notices to be erected on private land.

It is worth noting, in the context of the use of publicly owned land in Northern Ireland for access, that Coillte, the forestry authority in Republic of Ireland and the Country's largest landowner has, in 2005, formally given a strong commitment to further develop its estate for recreation.

4.2 ENGLAND - Historic provision of Public Rights of Way allied to very significant measures introduced under the Countryside and Rights of Way Act 2000 as well as access provision within National Parks and Forestry Commission land etc means that there is very considerable opportunity for the enjoyment of the countryside in England.

The Countryside and Rights of Way (CROW) Act 2000 introduced a general right of public access on foot to certain land (defined as "access land") for purposes of open-air recreation. This major new right of access was completed by 31 October 2005 and it gives the public "open access" (subject to certain conditions) to approximately one million hectares of unenclosed land or eight per cent of the country.

The mostly widely known right to enjoy the countryside in England is that given by "public rights of way". There are about 118,000 miles of designated public rights of way involving mainly footpaths and bridleways.

Other initiatives of note in England include Greenways and Quiet Lanes. A Greenway is a network of mainly off-highway routes connecting people to facilities and open spaces and are for shared use by people of all abilities on foot, bike or horseback. It is stated that to date 17,000 kilometres of Greenways have been created or are planned in England.

The Quiet Lanes initiative based on recent Department of Transport Regulations targets minor rural roads or networks of some appropriate for shared use by walkers, cyclists, horse riding and vehicles. Among other matters addressed by formal designation of a Quiet Lane is that the speed of vehicles must be low enough to ensure that any walking, cycling and horse riding activity may be enjoyed safely by people of all ages and abilities.

Coastal access is now receiving particular attention with a public consultation pending which will address how best to proceed to deliver a government commitment to improve access to the English coastline. The stated vision is *"a coastal environment where rights to walk along the length of the coast lie within a wildlife and landscape corridor that offers enjoyment, understanding of the natural environment and a high quality experience"*.

Since 1949 provision has existed for the development and maintenance of National Trails. These provide the opportunity to walk or in some places cycle or ride a horse for short or long distances through some of the outstanding scenery in England and Wales. There are fifteen National Trails in place covering 2,500 miles of managed path. In this context the positive role of National Park authorities cannot be overstated and this has relevance in the case being made for National Parks in Northern Ireland.

4.3 WALES - As for England, the CROW Act has provided a statutory right of access on foot. In Wales, this involves 360,000 hectares of open country and registered common land plus another 100,000 hectares of Forestry Commission land. This represents 22 per cent of the land area of Wales. This development taken with an already existing and extensive network of public rights of way means that there is a considerable countryside access resource which is being increasingly exploited for recreational health as well as economic tourism purposes.

A further interesting aspect of the CROW Act applicable in both England and Wales is that it makes provision for the establishment of Access Authorities who in turn are required to set up Local Access Fora (LAF). In Wales, the twenty-two local authorities and the three National Park Authorities have been designated as Access Authorities and these in turn are establishing LAFs which will increasingly play a significant role in delivering local access within an overall national strategy.

4.4 SCOTLAND - Countryside access in Scotland has a long history particularly in relation to the unenclosed uplands. The existence of a law of trespass was hotly debated but never proven either way. Also, although a network of rights of way existed, it was never definitive nor fully covered by legal process. It was not until 1967 that the first statutory attempt was made at formal and strategic delivery of countryside access. However that relied on Access Agreements which were time consuming and costly.

Another and significant milestone was a Scottish Natural Heritage (SNH) report in 1994 entitled "Enjoying the Outdoors". Among other things the Report highlighted the need to consult communities much more about the paths they required – this represents an early manifestation of approach to Community Planning - a concept which has now found political support and formal delivery in Great Britain (and from 2009 in Northern Ireland). This approach was continued with the formation in 1996 of the "Paths for All Partnership" (PAP) and the Scottish Countryside Access Network (SCAN). The former initiative has now become a mandatory duty of local authorities.

A major development emerged in 1999 with the devolved Scottish Parliament giving a commitment to legislation that would give a right of countryside access for non-motorised use. The Land Reform (Scotland) Act 2003 delivered the "right of responsible access to most land" but this did not take effect until February 2005 by which time a formal Scottish Outdoor Access Code (SOAC) had been put in place after wide consultation and guidance on the legislation had been provided for Local and National Park authorities.

The key to the Land Reform Act provision is **responsibility**. A person has a right of access provided it is exercised responsibly. This concept also applies in a number of other European countries. On the other hand, land managers have a duty to manage, use and conduct the ownership of land in a responsible way. The SOA Code provides the guidance on what does and does not constitute responsible behaviour. In effect, the Act means that everyone, whatever their age or ability, can exercise access rights over most land and inland water in Scotland at any time of day or night, provided they do so responsibly. However these rights do not extend to all places or all activities and the Act defines these exclusions. Longer standing public rights of way are different from access rights. These have been established under common law and require for existence that they have been used openly and peaceably by the public, otherwise than with landowner's permission, for at least twenty years.

4.5 OVERVIEW

This outline of countryside access provision in the four other countries listed shows both a divergence of approach and recent and very significant initiatives under the CROW Act (England and Wales), Land Reform Act (Scotland) and the National Trails Strategy (Republic of Ireland). It must also raise serious questions regarding an absence of any comparative "ground breaking" government initiative for Northern Ireland. The value of widening countryside access provision is obviously well recognised elsewhere in the British Isles for its health and tourism benefits. The message does not appear to be getting through here and questions have to be asked about the lack of strategic action and the implications for Northern Ireland of the initiatives taken in neighbouring countries in terms of both health improvement and tourism competitiveness.

5. REVIEW OF CURRENT PROVISION IN NORTHERN IRELAND

In general terms there is no formalised right of open access to unenclosed land nor has there been meaningful provision of public rights of way. There is also no composite record of the existing pathway provision whether for walking or cycling although some providers can readily supply data for their area of activity. Current provision of countryside access can therefore best be evaluated through an examination of the record of key deliverers.

5.1 LOCAL COUNCILS

The 1983 Access to the Countryside Order, inter alia, makes District Councils responsible for establishing public rights of way. Also certain provisions of the Recreation and Youth Services (NI) Order 1986 empower them to seek and deliver permissive paths. In a 2004 review by CNCC of District Council actions under the 1983 Order data was obtained from twenty-one of the twenty-six Councils. This showed, with a few noteworthy and commendable exceptions, that District Councils have failed to deliver meaningfully on this remit.

Some Councils chose to explain this lack of progress by contending that the 1983 Order was flawed. The reality however that some other Councils have, de facto, delivered rights of way or permissive paths suggest that the problem may relate more to a lack of will, direction and adequate resourcing by some Councils other than to the Order itself.

Detailed findings of the CNCC survey, inter alia, showed that of the twenty-one District Councils who responded:

- Most had made some form of progress with asserting public rights of way with seven Councils being particularly active and five showing little or no progress;
- sixteen had been able to create new public paths by agreement;
- twelve had employed Countryside Access Officers;
- only one had achieved any success in delivering some access to open countryside.

5.2 COUNTRYSIDE ACCESS AND ACTIVITY NETWORK (CAAN)

CAAN is an umbrella organisation which seeks to bring together groups and bodies which have an interest in, or involvement with, countryside recreation. While many of the recreational activities within the CAAN remit relate to matters outwith the scope of this paper, it is relatively a major contributor to the provision of walking and cycling facilities and to a lesser degree to off road horse riding. The network was established in 1999 in response to the publication in 1998 of Northern Ireland's first Countryside Recreation Strategy. It is charged with the strategic development and management of countryside recreation across Northern Ireland.

In the seven years of its existence CAAN, inter alia, has worked to deliver facilities covered by its strategies for walking, cycling, canoeing and horse riding.

Waymarked Ways (WW) development in partnership with District Councils and landowners (both private and public) has been a most significant feature of CAAN walking access provision.

Nine WW have been completed and two further WWs are near completion. These are widely spread throughout Northern Ireland occasionally aligning with the Ulster Way and involve in total 496 kilometres of quality walking, ranging in individual distance between 32 and 65 kilometres. Maintenance is undertaken by District Councils and monitoring of usage and path standard is arranged periodically by CAAN which also established and maintains website publicity for the WW.

Partnership working and pursuit of quality product are two of many progressive aspects of CAAN's work and its commendably effective delivery record during its short life span points to a continuing role for it in pursuit of, among others, increased walking, cycling and horse riding facilities.

5.3 SUSTRANS

Sustrans is a charity which works on projects to encourage more people to walk and cycle. In Northern Ireland it has joined with CAAN to establish "Cycle Northern Ireland", the aim of which organisation was to increase use of existing cycling facilities by promotion to tourists and local people. Regrettably this successful project has had to be abandoned due to absence of on-going funding which is evidence of lack of government commitment and vision.

While the main focus of Sustrans activity relates to provision of cycle ways these double as walking sites with recent usage surveys showing that 84 percent of National Cycling Network users in Northern Ireland are pedestrians.

Sustrans has to date delivered 1120 kilometres of cycleway in Northern Ireland (as its contribution to the United Kingdom National Cycle Network) with plans to extend this to 1,600 kilometres by 2008.

5.4 GOVERNMENT STRATEGIC COMMITMENTS

A number of government strategies include elements supportive of enhanced access and recreation. However, these commitments or statements of intent frequently lie undelivered and it is perhaps appropriate to remind government of their existence and the apparent failure to deliver.

Reviewing recent government strategies applying to Northern Ireland highlights a number of common objectives relating to access and improvements to health and well being. Examples include the creation of urban open spaces or 'Greenways' as part of the Regional Development Strategy (RDS) in order to provide for recreation and exercise, improved opportunities for pedestrian and cycle routes and the expansion of the leisure potential of the countryside by means of Waymarked Ways, riverside walks and coastal paths. Promotion of walking and cycling and the integration of these activities into transport and development schemes is a key objective of the RDS and enhancement of the natural environment is recognised as essential for improved well being.

The Regional Transportation Strategy continues with the RDS theme of changing travel culture and contributing to healthier lifestyles with support given to the establishment of a Walking Forum and the implementation of the National Cycle Network. The Investing for Health, Fit Futures taskforce acknowledges the importance of the development and use of the natural environment as a resource for physical activity.

5.5 GOVERNMENT DEPARTMENTS

Forest Service as the largest local landowner with an estate widely spread throughout Northern Ireland has a long history of provision of walking, and to a lesser extent, cycling and horse riding facilities in Northern Ireland. Use of these facilities in the case of larger forests is subject to charging. The recently produced Forestry Strategy includes a commitment to the formal confirmation of a right of access, subject to conditions, to all forests under Forest Service control. The contribution of Forest Service lands historically to passive recreation such a walking as well as family cycling has been considerable and this requires to be sustained and meaningfully increased with appropriate public investment being forthcoming.

While the Forest Service record in relation to access provision cannot be overlooked it is very obvious that when compared to recent and on-going pro-activity by Coillte and the Forestry Commission the Service is increasingly out of step with twenty-first century thinking and action to optimise the use of its estate in the wider public interest for recreation.

Water Service lands have, in general, tended not to be formally available for walking or cycling, usually for water supply efficacy and security reasons. The move towards a Water GoCo must create real opportunity for a targeted change to allow and encourage more public use where this is compatible with water supply requirements and with angling provision. DOE Country Parks provide locally significant and well-used access. Also access is provided and encouraged to DOE and District Council managed nature conservation sites such as National Nature Reserves and local nature reserves. Localised facilities have been developed by other public agencies mainly incidental to their prime functions. These include navigation towpaths (that from Belfast to Lisburn is a prime example) and water recreation paths provided originally by DARD but now under DCAL control. To these can be added paths provided by Local Councils on land which they own.

5.6 ULSTER WAY

The Ulster Way was a visionary attempt (thanks to the late Wilfie Capper) in the early 1970s to deliver a long distance walking trail. It was developed by the Sports Council with the co-operation of District Councils. However, it was allowed to deteriorate in maintenance and signage terms and its future came under scrutiny in the fairly recent "Review of the Ulster Way" undertaken by CAAN. Work is currently underway under EHS auspices with District Council involvement to agree and

deliver an updated Ulster Way. This process will have regard to the scope for inclusion where appropriate of CAAN Waymarked Way trails.

6. CONCLUSIONS AND RECOMMENDATIONS

6.1 STRATEGY

In terms of strategy it could be said that sufficient and various overarching papers exist to set the agenda. However, a critical view might be that fragmentation rather than cohesion applies and that an appropriate integrated strategy is required to give direction and to allow the various players to understand and pursue delivery of their part of the overall objective.

Recommendation 1 – A fully integrated strategy for countryside access should be developed by DOE which would draw on, but update and enhance, existing strategies on walking, cycling and horse riding. This action should be expedited so that a strategic role is set for and clarified to the new “Super Councils” on their introduction and support legislation is in place.

The integrated strategy should be supported by a time bound and challenging Action Plan.

6.2 LEGISLATION

As to legislation, there exists doubt in some District Councils regarding appropriateness and current relevance of aspects of the 1983 Order. To whatever extent that is true, there must be added the reality that the legislation is twenty-four years old and it is doubtful if it is “fit for purpose” in present and developing (e.g. RPA) circumstances. Also in United Kingdom terms the legislation relating to access provision in England, Wales and Scotland has been modernised in 2000 and 2003 – what is the case for an absence of need for similar modernisation in Northern Ireland?

Recommendation 2 – An early review of the appropriateness of the 1983 legislation should be undertaken and proposals should be brought forward for a new or amended Order to reflect up to date need and circumstances particularly to reflect the opportunities presented by RPA including the new Highway Authority Role of New Councils.

6.3 OVERALL ACCESS PROVISION

The various providers of access have to date operated largely in isolation to produce in aggregate a not inconsiderable amount of access when Northern Ireland population level is taken into account. However, if pressing health, as well as ‘post conflict’ tourism, objectives for access are taken into account a more strategic and co-ordinated approach is imperative. This should allow for existing provision and identify need for enhancement and new access to meet needs of communities as well as the wider tourism agenda. All desirable new access routes should be mapped and defined in Area Plans as Candidate Public Access Routes pending their development. This action should, in part, become a feature of envisaged Community Planning from 2009 with clear local community involvement to ‘bring paths near to the people’.

Recommendation 3 – The optimum need for walking, cycling and horse riding access in Northern Ireland should be established and formally mapped as designated Public Access Routes. This exercise should recognise and provide for both health and tourism objectives and it should be a legal responsibility of new District Councils to arrange the mapping and formal inclusion in area plans for each Council area with central government oversight to ensure overall co-ordination. District Councils should thereafter proceed to develop the paths for public use. Powers of compulsory acquisition should be provided to deal with cases where voluntary acquisition is not achievable.

6.4 OCCUPIERS LIABILITY

Occupier's liability has long been a bone of contention with land owners. A case has been made for legislative change to assure landowners of reduced risk of compensation claims. The view of the Office of Law Reform (OLR) has been that a change in the law may not be necessary and that what is required is clarification to land owners of the existing legal position. To this end a guidance leaflet has been developed and OLR and EHS jointly entered into discussions with UFU and NIAPA.

The leading case of Tomlinson (which related to an accident which befell a young man who had dived into open water) demonstrated clearly that it is very difficult for visitors or trespassers to successfully claim compensation for accidents which occur in the natural environment. This case is a clear signal to landowners that they have little to fear from accidents which occur as a result of the natural state of their lands.

Lordships comments of note in the Tomlinson case included:

Lord Hutton: *"...it is contrary to common sense, and therefore not sound law, to expect an occupier to provide protection against an obvious danger on his land arising from a natural feature such as a lake or cliff and impose on him a duty to do so".*

Lord Hoffman: *"I think it will be extremely rare for an occupier of land to be under a duty to prevent people from taking risks which are inherent in the activities they freely choose to undertake on land. If people want to climb mountains, go hang-gliding or swim or dive in ponds or a lake that is their affair".*

The issue in reality is one of perception of risk on the part of landowners and neither information leaflets nor rulings of their Lordships will address that perception. In Council's view, the only way to address the issue of perception is to amend the existing Occupiers' Liability legislation to remove the possibility (however theoretical) that landowners have any liability to those who whether by trespass or permission access their land for recreation and in so doing injure themselves. The amendment should apply the principle of self reliance whereby any persons trespassing or using land with permission do so at their own risk.

A problem with Occupiers' Liability in relation to achieving new public access over private land is that the understanding is that all land and therefore all landowners in Northern Ireland should be concerned about the issue. This is very far from reality as demand would apply on land mainly in urban fringe or in 'honey pot' tourism areas. Indicative mapping of Candidate Public Access Routes would give focus and allow engagement with a much smaller constituency of landowners.

Recommendation 4 – the existing Occupiers' Liability legislation should be amended to clarify the issue of Occupiers' Liability and so remove the perception of risk which most landowners feel and which militates against more public access being provided over private land.

6.5 OPEN ACCESS

The developments under the CROW Act regarding open access gave rise to some pressure for similar action here. However, after a 1999 public consultation on access, a Departmental decision was taken not to pursue new open-access legislation. This was largely based upon a consideration of the 1999 consultation responses which focussed upon matters such as occupiers' liability, rather than demonstrating a clear demand for freedom-to-roam legislation.

While the demand in Northern Ireland for open access may not, for historic and population density reasons be as strong as in Great Britain, it does exist. Indeed a visionary approach to enhance social and economic benefit in both health and tourism terms and thereby deliver the implicit under public interest must involve enhancing access at least to particular 'honey pot' areas of open upland such as the Mournes, Antrim Hills, Fermanagh Uplands and the Sperrins.

Recommendation 5 – It is therefore recommended that a special review of open access is undertaken which should have regard to local Northern Ireland circumstances and which should aim to deliver an outcome which balances the landowner interest and the wider public interest of maximising the public and tourist open access facilities in Northern Ireland. This, like the dedicated path provision, should feature mapping of 'upland open access areas;' as elements of appropriate Area Plans.

This initiative might also feature:

- **the provision of an Open Access Land Code of user behaviour;**
- **a District Council arranged ranger system to which landowners can report conflict issues for resolution;**
- **access to a National Fund (referred to in paragraph 6.4) to cover landowner costs associated with injury claims or damage caused to property by recreational users;**
- **provision of linear access routes from public roads/car parks to link to the mapped "upland open access areas".**

6.6 SUPER COUNCILS

Recommendation 6 – The new District Councils should be increasingly obliged and empowered from their inception to play a major role in co-ordination and delivery of countryside access including:

- **developing and delivering a strategic access provision plan including mapping all existing plus new indicative paths as well as newly defined 'upland open access areas' for each Council area;**
- **legal designation of local road facilities similar to the Quiet Lanes initiative in England; this is likely to require new legislation but as a start, the concept should be piloted with one or two designated thoroughfares in each new Council area;**
- **employment of sufficient number of dedicated Countryside Access Officers to ensure delivery of the optimum access provision.**

6.7 PUBLICLY OWNED LAND

Recommendation 7 – publicly owned land should be used to the maximum extent possible for public access and recreation and relevant authorities should be empowered required and funded to ensure this. Particular attention should be paid to increasing and enhancing provision in the Forest Service and Water Service Estates to a background where privatisation by 'cherry picking' of those assets may become politically fashionable.

6.8 CENTRAL GOVERNMENT DIRECTION

Recommendation 8 – A Central Government Department should be designated as Lead Department to determine and agree targets with Councils and monitor/challenge delivery through a performance indicator system and to provide necessary funding streams outwith the District Council rating provision for countryside access. Council believes that this role should be undertaken by DOE.

6.9 CAAN/SUSTRANS

Recommendation 9 – the established role of CAAN and SUSTRANS should be enhanced and encouraged as support to District Councils in delivery of optimum access provision at the full regional level. The effectiveness shown and the experience gained by the network should be understood and valued as an important element in delivering increased access facilities.

6.10 COASTAL PATH

Recommendation 10 – special attention should be given to the creation of a coastal path commencing with an early review of existing provision and identifying “gaps”, the filling of which should become a task for relevant new District Councils.

A recent CNCC commissioned analysis of coastal access showed that only seventy of the 400 miles of coast in Northern Ireland is presently open to the public. That analysis identified six stretches of coastline which should be given urgent and priority attention in the pursuit of increased public access to the coast.

6.11 COMMUNICATION

Recommendation 11 - Ongoing communication involving all interested parties will be essential and to this end consideration should be given to the establishment of an appropriate Forum on which all stakeholders would have representation.

6.12 GENERAL

Recommendation 12 - In reality the overall provision of access could be significantly enhanced provided it is delivered:

- **on publicly owned land including pathways bought or vested from landowners;**
- **where liability is accepted by the provider where private land is concerned, e.g. CAAN Waymarked Ways;**
- **with “hand holding” expert support, e.g. wardens, is formally guaranteed to the landowner in the limited instances where problems might emerge from recreational use;**
- **with a national fund based on models applying, e.g. in States in the USA as well as in Denmark should be provided to meet costs which might emerge for land owners from recreational use, for example, damage to property or legal costs.**