



Keep Ireland Open

Affiliated National Organisations

An Óige - Irish Youth Hostels, Scouting Ireland, Catholic Guides of Ireland, Irish Ramblers Club, Irish Wildlife Trust, Federation of Local History Societies, United Farmers Association, Association of Irish Riding Clubs, Irish Hang Gliding & Paragliding Association, Speleological Union of Ireland and many more clubs and organisations.
Web site: www.keepirelandopen.org Email: info@keepirelandopen.org

Newsletter 24

Winter 2004/5

Editorial

THE AFTERMATH

I suppose the voting down in the Dail last December of the Rights of Way Bill (reported elsewhere in this Newsletter) was predicable. We did try to achieve all-party agreement prior to the debate but without success. Quite frankly the level of debate was quite poor especially from the Government benches. The contribution by Minister Roche was particularly negative. Minister O'Cuiv's speech was somewhat better informed but was almost equally negative. The essence of the Bill was to provide for mandatory rather than optional listing of rights of way in county development plans - a very modest measure. This optional listing could lead to a patchwork of rights of way ending at county borders.

A lot has been written since the Bill was debated in the Dail and it was very well summed up in Drapier's Column in the Irish Times on 4 December 2004, which said "**Sadly the arrogant dismissal by the relevant ministers, Dick Roche and Eamonn O Cuiv was not encouraging.**"

So where do we go from here? Well we must soldier on and seek to persuade councillors on a county-by-county basis of the need to list rights of way. You will read later of some of our successes and failures. The whole process is incredibly time consuming and tedious.

Having tried and failed on the rights of way front we are now actively seeking legislation on freedom to roam over upland areas. We are hopeful that we will persuade one of the Opposition parties to publish a bill later in the year.

The twin aims of KIO on the access front have been to adopt the system in England and Wales of rights of way and limited freedom to roam. Its very bureaucratic as constantly pointed out by our Government Ministers. Perhaps they would prefer the Scottish laws, which provides for virtual unlimited freedom to roam and no rights of way, I think not!

Finally we are sick and tired of waving the tourist banner for Failte Ireland. They really should do their own lobbying. However the present Minister John O'Donoghue has not the slightest interest in walking tourism. He didn't even bother to make a contribution to the debate.

Finally, our thanks to those members (about sixty) who turned up in the Dail to support the Bill.

On the way into the Dail debate Fergal McLoughlan, Cara Mericer and Roger Garland



SUPREME COURT UPHOLDS THE SPIRIT OF THE LAW

KIO are encouraged that the rather bizarre decision in the High Court to award €84,000 in damages to compensate a woman for injuries suffered when she slipped and fell down a cliff in Donegal has been set aside by the Supreme Court recently.

This decision accords with the view of Keep Ireland Open that the onus of proof by a claimant to establish what the Occupiers Liability Act 1995 calls "reckless disregard" towards possible danger points to recreational users on private land should be extremely onerous. The Act is now 10 years in existence and we can reiterate that, in that time, there has been no successful case taken by a walker against a farmer.

Now can we expect the farm organisations to put this fear behind them and engage in meaningful dialogue with KIO to try to solve the increasing problems affecting the rights of ordinary citizens and visitors to reasonable access to the countryside? (full report of judgement on our website www.keepirelandopen.org)

A LOT DONE MORE TO DO

The Planning Amendment Bill 2004

Keep Ireland Open wish to thank the Green Party for their initiative in publishing the rights of way Bill, which provided for the mandatory (instead of optional) listing of existing public rights of way by local authorities. The Bill was debated in the Dail at the end of November 2004 and was widely supported by the opposition parties. However, the Whip was out and the Bill was defeated by 80 votes to 58. Many thanks to all the TD's who spoke and voted in favour of the Bill.

If the Bill had been passed it would have meant that, people, whether locals or visitors wishing to access the countryside, would have been able to walk on legally established paths and their right to do so could not be challenged by landowners. Landowners are adequately protected under the Planning Acts should they feel aggrieved by a decision of the local council to list a right of way over their land. Apart from allowing local people reasonable access to the countryside, it was anticipated that the Bill would have gone some way in addressing the steep decline in walking tourism to be halted. The Bill if it had been passed would have represented a positive step in securing reasonable access to our heritage of open mountains and natural amenities.

Similar legislation was passed in England and Wales where there are now 250,000KM of legal rights of way and access routes, plus 4 million acres over which the public have the right to roam. The value of this type of legislation to the local and rural economies is estimated at €8.5 billion and has created in the region of 250,000 full-time jobs.

Comhairle na Tuaithe

Conference in Portlaoise 19 November 2004

“Managing Countryside Recreation in Ireland”

At the conclusion of this conference it was KIO's view that Cna T has no real future unless there is a fundamental shift by farmers and landowners with regard to access and the freedom to roam. Basically what the farming organisations are looking for is payment for access or as they now call it a “Tourist Bounty”, (a tourist ransom would be nearer the truth). KIO's position on enabling legislation with proper funding to resolve the ongoing problems was constructively isolated early in the proceedings with our chairman Roger Garland receiving little protection from the chair or the organisers.

Following the Conference we had a meeting and sent our comments to Comhairle na Tuaithe that are outlined below.

- We believed that the Conference would be made up of representative groups and not dominated by individuals who were representing themselves and their own agendas. This led to KIO receiving no respect from a particular section of the audience who seemed to be comprised of “boot-boys” presumably sent in by the farming organisations.
- It became apparent early into the Conference that the gap between the aspirations of the various groups was so wide it would have been better to organise side meetings with the various interest groups i.e. the landowners, recreational users and tourism. Each group could have attempted to develop a consensual approach and then report back to the main conference where its policy could have been put forward for debate etc. However, the way C na T organised the conference led to the systematic abuse, throughout the day, of KIO and our chairman, Roger Garland. This was a conference run by a Government Department at the taxpayer's expense and not a TV entertainment show like Questions and Answers.
- Our chairman, Roger Garland received very little or no protection or the right to reply from the chairman, John Bowman, which is con-

trary to best practice and the usual protocol at such meetings/conferences.

- If we are ever to attend any similar meetings/conferences we will have to be protected from the likes of Messrs Bourke (who received more floor time than any other organisation or individual) and McSharry, both of whom have been convicted of intimidating/assaulting walkers. Their comments from the floor were neither constructive nor productive.
- Also, another person who C na T invited to sit on the recreational platform made absolutely no worthwhile contribution to the conference except for the snide, cheap and personal remarks made towards our chairman.
- The attitude of some of the landowners/farmers at the workshops was also unhelpful. Our views, while supported by some of the recreational users, was ridiculed and not given any serious consideration. In fact some of the farming representatives left the table. Also, our comments on what we would like to see in 2020 were not recorded by the facilitator (enabling legislation with proper funding to resolve the rights of way and access issues in Ireland).
- According to the Minister and the Department the main aim of Comhairle na Tuaithe is to reach agreement by consensus and partnership. This ethos was noticeably absent from the conference where KIO was constructively isolated.
- Taking all of the above into consideration KIO are now seriously considering its position in relation to Comhairle na Tuaithe. We believe the partnership and consensus so earnestly desired cannot be created by a process of humiliation, intolerance and in some instances downright arrogance towards KIO's position and its representatives.

Remember, it is not KIO who are out of line with best practice in the EU, it is Irish legislation.

- The Minister also stated that there is no demand for legislation, yet 58 TD's representing a substantial section of Irish citizens voted for such legislation in the Dail last December on the Rights of Way Bill (Planning & Development Amendment Act 2004).
- Many members of KIO now believe that the position of the Government and C na T on this issue is going to be another absolute waste of taxpayer's money. The most that will probably be achieved is a few high profile permissive way marked ways, not knowing from day to day if permission will be withdrawn or not. You cannot build a sustainable tourist business on the back of permissive rights of way. Way Marked Ways in the past (31 covering approx. 3,000KM) have been built on a foundation of quick sand and the grace and favour of landowners/farmers. It will probably be a case of déjà vu or throwing good money after bad, nothing in perpetuity or lasting, nothing that Failte Ireland can market and nothing sustainable to encourage the tourists/recreational users to return to and visit the Irish countryside.

We also attended a conference in Athlone on 17 January 2005 organised by the National Rural Development Forum. Access was very high on the agenda of the various organisations in rural Ireland. They are genuinely concerned at the dwindling number of walking tourists and see it a major financial loss to rural development. Real and honest leadership is required on this issue, and it is not coming from C na T or the Minister. They lack clarity on what is required to address the problem and what their role should be. They need to adopt a clear direction backed up with practical sustainable actions to move this process forward before its credibility and public confidence is lost. C na T is a publicly funded body and its efforts should be directed at serving the common good and not that of a small minority.

Note: At a meeting of C na T on 7 February 2005 the farming organisations indicated they were not totally convinced by the Supreme Courts decision on the Donegal case and will be referring it to their legal advisors !!

PLANNING / LITIGATION UPDATE

THE MAGNIFICENT SEVEN



WICKLOW

We understand that the "Interim Committee" on rights of way set up by the Council last year is due to meet in early February. Meanwhile, the Council are proposing a Variation of the recently adopted Plan to remove all 33-access routes. While these routes have no legal status we have protested to the Council that their removal would send the wrong message.

Collen v Leonach - This case being taken by developer Neill Collen against Niall Leonach (a member of the Enniskerry Walking Association (an affiliate of KIO) concerning what we believe to be a public right of way in upper Glenree. The case was due to be heard in Wicklow Circuit Court on Feb 10. However, Mr. Collen has served Niall Leonach with a Committal to Prison Order for an alleged breach of an injunction which will be heard instead (see Enniskerry Land War) page 5.

Curtlestown - The standoff continues. The route is fully open, but we have received reports that one of the owners is continuing his policy of verbal harassment of walkers.

DUN LAOGHAIRE RATHDOWN

Cosgrave Builders v Dun Laoghaire/Rathdown Council - This case is being taken by the developers of the proposed new Dun Laoghaire golf course at Ballyman. The developers are seeking to remove a right of way across the golf course. The case was heard in the Circuit Court in the Four Courts on Feb 2, and has been adjourned.

CLARE

*Enniskerry locals
outside the Four Courts
where they gave
evidence of a
long established right of way.*

We made a presentation to the Council in November and the Council have agreed to produce a list of rights of way within a year.

DONEGAL

Following a recent presentation to the Council, which went very well, we expect that they will agree to list rights of way. The County Council have already made contact with KIO with regard to details of various routes etc. This work is on-going.

SLIGO

Now for the bad news! A resolution put forward by Declan Bree (Labour) to have rights of way listed wasn't even seconded in spite of the presence of two party colleagues. After an extensive canvas this is a disappointing set back. Clearly, hill walkers are not welcome in Sligo. Of course this is "Bull" McSharry country!

COMMITTAL TO PRISON ORDER SERVED ON HILLWALKER

Mr. Collen, a wealthy builder from Glenree, Co Wicklow served a Committal to Prison Order on Niall Leonach of the Enniskerry Walkers Association for alleged breach of an injunction relating to Mr. Collen's lands (see Enniskerry Land War on page 5). Mr. Justice McMahon at the Wicklow Circuit Court on 10 February 2005 stated that this intermediate skirmishing should stop and went on to say that the Committal to Prison Order served by Mr. Collen could only be described as a NUCLEAR OPTION which was not an appropriate remedy in the circumstances. He made no order and reserved judgment on costs. A full hearing of the right of way issue relating to this case will not be heard now for several months.



*Michael Carroll Secretary KIO and Niall Leonach
outside the Wicklow Circuit Court.*

KILLARY PATH UNDER THREAT

The following letter of protest was sent by KIO to the Galway County Council with regard to the erection of eyesore and access closing fencing on the south shore of Killary inlet.

We are very concerned about considerable work which has gone on along the scenic stretch of track going NW from the point at which the tarmac road ends just past the shellfish producer's sheds. From this point on heavy-duty fence-post, involving thick lengths of black plastic piping interspersed with wooden ones, have been erected, obviously in preparation for stringing with wire. As well as being extremely ugly, this fencing will result in the long established walk along formerly open track in the direction of the An Oige Youth Hostel at Rosroe turning into something akin to a debased experience, confined within a linear wire cage. In addition, this beautiful walking track has been seriously damaged, clearly by the movement of heavy machines used to install the fence posts.

KIO WESTERN BRANCH GENERAL MEETING

**A General Meeting of the
Western Branch
membership will be held in
the Atlantic Coast Hotel,
The Quay,
Westport at 10.30 am
on Saturday 19th February
2005.
All welcome.**

More and somewhat earlier fencing has gone in along the stretch where the track goes up to a low point in the ridge as one walks over to Little Killary. All in all, this destruction will



be a serious disappointment to walkers who come to the area, both Irish and overseas visitors. It will mean the loss of one of the most cherished tourism assets in the West at a time when the number of visiting walkers to this country is falling year by year.

MORE BARBED WIRE FENCING



We are absolutely gob smacked by the latest revision of the so-called Rural Environmental Protection Scheme (REPS). In spite of several trips to Brussels to see Commission officials and the making of a presentation to the Petitions Committee of the European Parliament, the latest version is even worse than its predecessor.

To remind readers, REPS was devised back in the late eighties to provide **extra** funding to environmental friendly farmers to reduce pollution and to encourage organic production. This scheme has been primarily responsible for the rash of barbed-wire fencing all over our upland areas so, clearly "we ain't seen nothing yet". We can now expect a further tranche of this blight on the landscape.

The new Scheme now provides that on land containing cattle, all streams, drainage ditches and lakes must be fenced. The previous scheme did allow exemptions for extensive farming where stocking rates were low. This means that walkers are now denied access to all farmland containing cattle.

Hill sheep country fares little better. Unlike the previous provisions there is now no exemption to the stockproofing requirement that all land must be perimeter-fenced. This includes commonage.

The sheer stupidity of the scheme is breathtaking. So much for protection of our environment promised by our membership of the EU.

While on one hand, the latest decoupling proposals incorporated in CAP recognises the need for extensification of farming leading to much lower stock numbers and the need to consider land use in a much broader context, the effect of these draconian measures will be quite the opposite. Talk about shooting one self in the foot!

There is no mention in the document of the need to provide stiles or gates. Nor is there any reminder to farmers of the need to apply for planning permission. From talking to REPS planning consultants we are aware that the planning issue is fudged with the tacit connivance of Dept officials. What's new!

Surely these crazy proposals will be the nail in the coffin of access to what remains of privately owned hill walking areas.

FARMING SUBSIDIES LINKED TO UPKEEP OF FOOTPATHS!

Unfortunately this report is not about Ireland, it could quite easily be so if the political will to serve the common good was a priority for the present Government.

However, we have to continually look elsewhere for best practice with regard to access to the countryside. Recent CAP reforms show that farmers in England currently receive £1.7 billion a year in subsidies from the EU – but from now on the cash will be linked to keeping footpaths open and usable. The UK Government has announced a set of 'cross-compliance' standards for agriculture in England, designed to give greater protection to the environment, wildlife, the landscape and for the first time, countryside access. Nothing like the EU taxpayer getting value for money!



NEWS MEDIA

The Future of Walking Tourism

(Farmers Journal 4 December 2004 - Letters to the Editor - From David Herman Co Sligo)

Dear Sir,

Your report on the recent C na T conference on the future of walking tourism made for predictable but depressing reading

While the good ship *Walking Tourism* heads for the rocks, the crew continues to endlessly discuss the arrangement of the deckchairs. The number of walking tourists is down to nearly a half of what it was just over 10 years ago (the figures quoted, though bad, are not as bad as Fáilte Ireland's national figures); many walkers from Dublin are now considering Wales rather than the West for long weekend breaks. Yet your report, 'Breaking new ground', details yet again the perennial subjects (insurance, 'mutual respect', partnership, ownership of the land, asking permission to cross land etc, etc) as though for the first time.

It doesn't seem to have occurred to the sponsors of this conference that the rest of Western Europe have solved the seemingly intractable

problem of access to the countryside and have done it decades – yes, decades – ago. They have not given grants to landowners for access alone, as repeatedly suggested in this country. Instead they have done it by passing legislation giving rights to recreational users over suitable private land. They have provided rights of way that are signposted and marked on the maps, not the nebulous excuses we are seemingly content with. They have clearly indicated areas covered by freedom to roam. Given the virtually non-existent legal and other support given to them here, small wonder that foreign walkers are voting with their feet.

One must admire the farming organisations that are ruthlessly pursuing their own short-term interests. As for the Government and the farmers' lackeys among walkers, mealy-mouthed talk of partnership and voluntary agreements will profit them nothing and the sooner they realise it the better.

WHAT GOOD IS AN INVISIBLE RIGHT OF WAY

(Letters to the Editor - Irish Examiner 11 December 2004 - From Tony Kearns, Co Wicklow)

The Green Party, unfortunately has failed in its attempts to have rights of way listed in county development plans. (Irish Examiner, December 1) With the halving in the numbers of walking tourists visiting this country in little over a decade, this was a welcome but tiny first attempt to get us into line with our European neighbours.

However, Mr O Cuiv is content to have nebulous 'rights of way' that are not shown on maps, not indicated by signposts and not even listed in county development plans.

So who knows where they are? The

minister had the effrontery to describe the Green Party's proposals as "a sledge-hammer to crack a nut." Given the modest of that proposal and the great loss to the country caused by the demise of walking tourism, the minister's cliché should be reversed: he won't even use a nut to try and crack a sledgehammer.

Editors (KIO) Comment: A similar situation arose under REPS where farmers were paid for providing access. Yet, we could not find out where this access was, not even the Dept. of Agriculture could provide us with the information.

South West Path in Devon/Cornwall

I have just returned from a wonderful walking holiday, during which two of us walked 150 miles of the South West Coastal Path in Devon and Cornwall. It is fine medium-grade walking along cliffs and up and down the many deep combs with some really exquisite stretches, through mature woodland and with wonderful seascapes. There is clearly much co-operation and harmony between walkers and farmers. We stayed in several farm guesthouses

along the way, and it is clear also that the farmers and the local economy generally benefit from the Path and are glad to have it. I would recommend this Path to all walkers and recreational users and I will definitely return in the near future.

Editor's Comment: A recent survey claims that this coastal path generates some £300 million revenue for the local economy each year.

ENNISKERRY LAND WAR

(The Phoenix Annual 2004)

A minor peasants' revolt in Co Wicklow is putting the behaviour of wealthy builder and property developer, Neil Collen, in the spotlight.

Collen, head of Collen Construction, has been seeking for two years to close down what locals and hill walkers insist is a longstanding right-of-way, part of which crosses his land within sight of the huge, quirky house near Glencree, which he recently inherited from his late father.

Collen's legal pack threatened financial ruin on two locals – journalist, Albert Smith and civil servant, Kieran Warner – who included the route in a pamphlet outlining walks in the area – forcing them to withdraw it from circulation. Collen also went after the North Wicklow Times for publishing details of a protest march along the route and local artist, Yanny Petters, whose e-mail the newspaper had published. Collen's lawyers accused the two parties of 'a slander of title', a civil action that the wealthy builder has now dropped.

Last month, Collen gained an ex parte injunction banning the protest march along the disputed route, which runs between the Enniskerry and waterfall roads near the head of the Glencree Valley.

However, when Collen went to Wicklow Circuit Court to have the injunction made permanent, he was opposed by the Enniskerry Walking Association, whose chairman, local teacher, Niall Leonach, sought and won an adjournment until 10 February 2005 to give him to research and make his case as a lay litigant. To Collen's chagrin, the existing injunction was lifted.

Leonach now plans to co-join both Wicklow County Council and the Attorney General in the February hearing. The council he points out has signally failed in its statutory duty to register and protect rights of way. The Attorney General has failed in his Constitutional role as the protector of local authorities with oversight of their functions. The case has serious implications. Ireland has the worst reputation in Europe for the protection of rights-of-way and has already been told off by Brussels for failing to register and, if need be, legislate for them.

Collen is no stranger to the courts. In 2001 Collen Construction gained injunctions against 17 brickies protesting at conditions on the company's sites in Dublin.

(printed with permission of the Phoenix Magazine)

Quad Bikers

Hi, I am from Co. Cork. It is refreshing to know that there is an organisation out there fighting for our natural right to walk our land. I wonder if you have any views on the way quad bikers are destroying our mountains and if you have any information on how this disgraceful neglect of our beautiful hillside can be stopped. This is a major problem on the Galty Mountains at the moment with up to one dozen quads destroying not alone the beauty of this area, but now with the advent of spring there will be hundreds of nesting birds at the mercy of these people. I look forward to hearing from you and hope I can be of some help in your courageous attempts to keep the land open to access.



Editors Comment: The Motorcycle Union of Ireland have been concerned about this issue for some time and make every effort to advise their members of best practice. However, the problem should really be tackled by our local councils who have the power to pass byelaws to protect the amenity value of our mountains. Some have already done so; including the Louth County Council while some other are in the process of drafting byelaws. Coillte also have a policy of non-motorised access to their forest tracks. However, a major part of the problem is due to the neglect by the Government, which has resulted in the European Commission referring Ireland to the European Court for failing to control the use of quad bikes in environmentally sensitive areas.

Beware of the Spirits in Dingle

I read your recent newsletter with interest as I was reared around Ventry, Co. Kerry near a place where the lady farmer wanted money and another farmer chased the walkers away. I remember a lady called Sayers, a distant relation of the famous "Peig" charging a shilling for entry to her property, as there were remains of "Clochans", which she protected. Another place subject to charge is the way to the Tower on the Burnham peninsula for which a donation was requested. I personally had difficulty in Ballymore between Dingle and Ventry as a dwelling has been constructed on the cliff top ostensibly to prevent walkers using the cliff walk. I don't think it would be against the law to name these people so that all in the area should know where to expect difficulty. I am sure hotels and guesthouses and tour operators would be pleased to warn their guests so as not to have them embarrassed.

My grandfather who was a voluntary caretaker with the Board of Works had similar difficulties with Archaeological sites. He died in

the 1930's and I remember one case where a farmer removed a head stone from Reask and used it as a lintel for his doorway. With the aid of a few local boys he replaced the headstone at night and so convinced the farmer that the spirits had done it Reask is one of the many important Christian remains in West Kerry. I'm not sure if it would be possible to have voluntary caretakers nowadays. Then the late Professor Mac Allister was the inspiration behind the protection of ancient ruins. Lately a comprehensive survey of Remains in West Kerry was published.

However, the IFA are intimidating the Councils to restrict rights of way and the Government has given in to this form of blackmail and do not appear to care whether tourists come or not. My grandfather was an active member of the Land League in the 19th century and derived no benefit from his efforts. The present landowners do not appreciate the extent of that struggle and we owe it to the memory of these voluntary workers to Keep Ireland Open.

PBS Co Kerry

Walking in a Winter Wonderland

I have just returned from a walking holiday in Austria, where there are thousands of kilometres of legally protected rights of way in lowlands, uplands and mountains, where everything is done to encourage walking tourism and where, as a result everyone, especially the local community, benefits. Austria is not an exception in Europe. That unhappy position belongs to Ireland, where walkers have no legal right to put a foot onto private property.

Recently farmers in Sligo, including one who has already been convicted

of assaulting two hapless walkers, have allowed walkers onto their precious rough grazing land for one day. This 'privilege' has been granted only because they have shown the necessary gratitude and deference.

Shame on those clubs and organisations for participating in this humiliating PR charade that any self-respecting walker would have rejected out of hand. What we urgently need are not cheap stunts but legal rights of the type that are taken for granted elsewhere in Europe.

DH Dublin



AGM 2005

The AGM will be held at
11.30 am on 2nd April 2005
at An Oige Head Office,
Mountjoy St, Dublin 7.

Free parking available.

For further information call

01 494 3221.

TOTALLY FRUSTRATED

After several years of shouting into the wind a colleague of mine has this moment directed me to you (KIO). I am at present training as a Mountain Leader and I feel strongly about restrictions put upon our Fair Isle particularly by farmers with un-necessary barbed wire fencing at every turn.

this matter came and threatened me. He later, (on Christmas morning as it happens), shouted abuse and threatened my sister who was on holiday and my 80yr old uncle who lives next to me. He has, I then learnt on a previous occasion, scared off a group of tourists with a gun after which he ran off to the local nursing home for sanc-



Fencing into the low water mark at Uggool Beach Co Mayo

I am on the course in the South of Ireland for I year but usually I live in the on the Currane Peninsula, next to Achill. When I was a boy all the villagers, many of whom are my family and close relatives, would play on the beach and "sandybanks" which is the shoreline looking out to Clare Island and Achill Island and Achill Beg. Naturally enough visitors would also gravitate to this delightful area and could hardly contain their joy at having found such a beauty spot. I hardly need point out that this in turn resulted in a small but thriving mini tourist industry for the area with the local hostelries and shops turning over good business as well as a Youth Hostel.

Not any more.

I spent many years away in London and on my return I found that a local man had inherited this strip of land and effectively with the usual proclivity of barbed wire fencing cut off access to both the land and the beach.

I went for a walk to the beach and the man who is extraordinarily vigilant in

tuary. Anyway his licence to hold a gun was revoked but all the same the situation continues.

This is a similar situation to the one in Louisburgh I understand. I have taken steps to deal with things. I spoke to my cousins and friends but they would rather just leave him be. I after some persistence got the land enforcement officer from Castlebar down. He explained that that the Rights of Way were not enforceable in Ireland and that it was up to the

Landowners discretion. He suggested getting the community together. I spoke to many hardcore locals and they agreed with me that something should be done. They told me to leave it with them and they would speak with the Community Centre Committee. I have politely followed this up but of course nothing has happened.

The man and his bit of land on which he keeps a few sheep may as I understand have reasons for his attitude. I realise that REPS schemes and the funding there from encourage would be farmers to pay particular care to fencing off the areas that are allocated to them. This in the short term keeps them in pocket and a visit down to the pub every day and night is not beyond their means. Meanwhile shops close, the visitors do not come, there is no longer a Youth Hostel, the pubs are empty, not only of people, but the great tradition of musicians who once frequented the area.

In short Ireland is going backwards in a hurry. Our greatest selling point is the natural beauty of our landscapes. I myself am lucky to be sponsored by Failte Ireland, Uderas, and FAS as well as the local community in Dromida, near to Caherciveen in Kerry so that I can safely navigate others through the mountains. If people imagine however that the average tourist wants to traipse across sodden bogland full of cattle and sheep droppings to be then faced with obstacles more appropriate for the walls of a prison then they surely are living in the land of the fairies.

But what to do?

Will anyone grasp the nettle before the impetus is lost and it's too late?

Sincerely MG



Will We or Won't We Visit Ireland

The following letter was sent to Mr. John O'Donoghue, TD Minister for Arts, Sport and Tourism
Re: Access to Countryside

Dear Mr. O'Donoghue:

As a long-time subscriber to *Ireland of the Welcomes* here in the USA, I enjoy reading your message in each issue. I thought it right to tell you about a problem for Ireland tourism, as seen through the eyes of a foreign visitor.

A small but significant segment of the holiday market in Ireland consists of visitors who come to walk the glorious Irish countryside. A hillwalking friend and I plan a visit to the southwest in May for approximately a hundred miles walking in Cork and Kerry. (We're not campers, however. The gourmet spots and celebrated hotels of Kinsale and Kenmare are on our list, too.) We've planned our routes with the help of several walking guidebooks and my subscription to *Walking World Ireland* magazine. From these sources I knew of the increasing problems of access caused by landowners. I was surprised, however, to discover that several of the walks we intended to make — all of them on traditional public rights-of-way, and all of them described in detail in old and new publications — are now impossible or questionable. For example, we had intended to begin with a walk around Gougane Barra, where public access has heretofore been unquestioned. However, the website of the organization called Keep Ireland Open ("KIO") contains a report of the experience of two visitors there recently who experienced serious access problems.

It also appears that more than half the walks we planned to make are obstructed in one way or another. Even the country's Waymarked Ways, such as the Dingle Way, the Kerry Way, and the Beara Way, are not free of obstruction. Within sight of the Cliffs of Moher

Visitor Center, obstructions are tolerated. Even a beach of the Atlantic coast, near Westport, is blocked, or was the last time I checked. How can this be?

I'm certain that under Irish law, as under British and American common law, the public possesses a prescriptive right — not a license or a permission but a legal right — to travel an ancient path. In this country the government would bulldoze obstructions such as the ones I'm reading about and place the perpetrator in the dock. I can't understand why these illegal obstructions are tolerated in Ireland. The KIO website recites instance after instance of apathetic or even hostile local government responses to protests against these obstructers.

It's distressing to me to see Ireland so quickly losing a precious resource, apparently because so few people appear to be concerned. I read on your department's website the report submitted to you last year by your tourism task force. In paragraph 5.10 a mention was made of "unsatisfactory progress" on this issue of access. That is an understatement indeed.

Because we love Ireland, my friend and I were prepared for the high price of our visit, but we can't cope with barbed wire and hostile farmers blocking public ways.

I hope your Government will take steps at the national level to deal with this growing problem. In one sense, all this is none of my business, but in another sense the glorious Irish countryside is a treasure of the whole human race, so I felt I should speak up.

I'll continue to read with pleasure your messages in *Ireland of the Welcomes*. Thank you for listening, Minister.

Yours very truly,
JBR South Carolina USA

COMMUNICATORS NEEDED!

We urgently need people who will present KIO's views to the Media — TV, radio and print.

Our experience has been that when we put our case publicly, there is huge support for KIO's position. There are very few people in Ireland who wish to see traditional rights of way and walking routes being closed off! However Irish people tend not to make their views known, and to suffer on in silence.

Throughout the country there is a growing need for people who can represent the views of walkers, tourists and "the plain people of Ireland" who wish to have access to our countryside. We are constantly approached by television, radio and local media to put our views across.

You don't have to be an expert — all you have to do is to feel strongly about our case. We will provide you with background information, and we will give you guidelines on how to handle the media.

NB. TG4 gives frequent exposure to environmental issues, so we are particularly in need of members who can represent KIO "as Gaeilge", either locally or nationally.

If you are interested in assisting in this vital area, please call or e-mail one of the KIO contacts listed below.



KIO CONTACTS

President: Jackie Rumley Tel. 098 36144

Chairman: Roger Garland Tel. 01 493 4239

Secretary: Michael Carroll Tel. 01 494 3221

Treasurer & Membership Secretary: Kitty Murphy Tel. 01 837 8594

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