

The Creation of Partnership in Ireland's Upland Regions (18th Oct 2004) **Conference – held at Sligo Regional Technical College, 21-23 November 2002**

The Background

The conference provided a forum for representatives of upland communities, farmers, landowners, tourism interests, recreational users, walkers, climbers, and policy makers from statutory bodies with responsibilities for environment, heritage, agriculture, forestry enterprise, tourism and national parks in the Republic of Ireland and Northern Ireland to discuss a range of issues pertaining to upland management.

The delegates discussed current issues and the future of upland communities and the landscape in which they live. Central to the discussions was the recognition by all parties that upland populations and landscapes, which are central to Ireland's social and economic future are under increasing threat arising from many issues and the effects of many unsustainable policies and disjointed national and local government structures. The event was a follow up to a conference held in Galway in 1995 '*Seeking a Partnership towards managing Irelands Uplands*' which promoted partnership based on upland communities as a means to developing a sustainable future for the uplands.

The Organisers

One of the outcomes of the 1995 conference was the establishment of the Irish Upland Forum (IUF) a non-governmental voluntary body to support embryonic upland partnerships and the Wicklow Upland Council a partnership established in the hinterland of the Wicklow Mountains National Park.

The Sligo conference was organised and planned by the Mountaineering Council of Ireland (MCI) as a part of its contribution to the International Year of the Mountains as a means to measure progress since 1996, to establish current issues from the perspectives of each stakeholder and to make recommendations regarding what to do next?

Opening Session

The conference was opened by the conference joint chairman Joss Lynam of MCI who stressed the opportunity which the conference provided for developing partnerships by his quotation from the International Mountaineering Federation (UIAA) statement on sustainable development:-

“If the people who live in the mountains and the people who use them can get together, then the mountains can be a happier place and a more prosperous place for everyone”

The opening address was given by mountaineer Dawson Stelfox OBE, - a former Chair of the MCI - a founding member of the Northern Ireland Environmental Link and the Mourne Heritage Trust - and the current Chair of Countryside Access and Activities Network for Northern Ireland (CAAN), who lists among his many achievements, the first Irish ascent of Mount Everest.

Dawson spoke initially about progress since the 1995 conference (Seeking a Partnership Towards Managing Ireland's Uplands), he referred to the creation of the Mournes Heritage Trust and the Wicklow Uplands Council. Despite some progress he stated that:

“the holy grail of achieving balanced, sustainable, friendly and rewarding multi-level use of Ireland’s uplands is not much closer than it was in 1995, except in small areas.”

He discussed how uplands are recognised internationally. Agenda 21 arising from the 1992 Earth Summit placed mountain environments on an equal footing with climate change, deforestation and desertification. He believes that increasing recognition of mountains as sources of clean water will lead to greater appreciation world wide and in Europe, particularly in the context of the EU Water Framework Directive.

Dawson reminded the audience that the following development issues, which affect upland areas in Ireland are shared by all mountain regions in the world:

- Population and rural incomes falling
- Environmental degradation arising from unsustainable economic and agricultural policies and visitor pressure
- Growing hostility between visitors and residents

Any initiative which seeks to resolve the access issue, must recognise the remarkable transformation in land ownership status arising from the Land Acts of the 19th and 20th centuries and the growing demand for access to countryside from urban recreational users. To get to the heart of these issues we need to explore them in depth from each other’s position.

Conference structure

- The first full day of the conference gave an opportunity to hear from those already engaged in Partnerships in the Mourne Mountains, Wicklow Mountains, County Leitrim, a cross-border regional project and from the Northern Ireland Countryside Access and Activities Network (CAAN).
- Each presentation was followed by a question and answer session to clarify issues and perspectives.
- In the afternoon the conference participants were divided into four workshop groups of representatives from four identified regional areas: West, Midlands/South East, North East and South West. Each group were asked to deliberate on four key areas identified in the presentations, namely: Insurance, Access, Funding and Partnership.
- Day two provided an opportunity to each of the representatives of the Statutory bodies present, to respond to the issues raised and present their individual organisations roles and perspectives. The conference ended with brief feedback summary by Frank Nugent of the MCI one of the organisers of the 1996 conference.

This proceedings summary document provides an outline of the main points presented and discussed.

Partnership in Practice

Arthur Mitchell Chairman Mourne Heritage Trust: asked and answered what he considered were the three most important questions:-

- What is partnership?
- Why are partnerships required anyway?
- Why management at all?

Partnership is a contractual relationship between two or more persons for the mutual benefit of the partners. Arthur stressed that success of a partnership is dependent on the full involvement and commitment of the partners and also their ability and freedom to make decisions within the partnership.

Partnership is required in Ireland's uplands, because virtually all the land in Ireland is privately owned, with only a small proportion in state ownership. It is not our land to manage. But through the creation of partnerships between landowners and users, all the partners can contribute to the overall management of the land, which constitutes the main resource of our landscape and environment. Land is used by landowners for agriculture and by other user groups for tourism, recreational and educational use, and for cultural, heritage and amenity purposes. Arthur believes it's essential to manage such land with all the parties actively involved in the management plan.

Management is required to sensitively develop the non-agricultural use of land resources, namely landscape and environment to supplement the deficit created in the rural economy and by the continuing reverses in the agricultural economy. Such management will in both the short and long term, ensure the stability of the resources and broaden the employment base and the scope of rural communities. It is a fact that rural communities have been the custodians of our countryside; they have been engaged in man-modifying the countryside, our landscapes and environment for centuries.

Arthur revealed a couple of important insights. The first was that while the Mourne Heritage Trust was established by statute, it actually has no statutory powers. It has however, three guiding principles which underpin management practice and which have proven exceptionally powerful:-

- Is it good for the community?
- Is it environmentally sustainable?
- Is it economically sustainable?

The Trust which is an independent charitable company, Arthur likened to a "financial Hoover" which has attracted funding from central and local government. The next three-year plan already guarantees to deliver £8 for every £1 that local and central government provided.

The indigenous community has been fully and openly consulted and engaged at all levels and at all times about the Trust's operations and future plans. This has encouraged ownership of the Trust by the communities of the area. Arthur expressed satisfaction that both the communities and the government accept the Trust as the environmental managers of the Mourne AONB (designated Area of Natural Beauty).

Touching on what relationships between the Trust and official bodies Arthur listed what didn't work well?

- Inability to co-ordinate the activities of Government Department Executive agencies operating in the area.
- Resources tied up meeting audit trails of the public sector and meeting the matching funding

- Reluctance by certain departments of the public sector to engage or to deviate from their own strategies and policies, without taking into account the needs of local communities

Arthur advocated National Parks because:

'the most successful tool world-wide, whether we like it or not is the National Park, where we can gather and focus all our limited resources together, the voluntary sector, the private sector and the public sector.'

He suggests a means of conferring statutory powers to local communities would be to devolve statutory powers and functions to the statutory National Park management authority.

Arthur summarised the way forward in partnership as follows: There is a need to be realistic and to manage the change from dependency on agriculture to sustainability on a broader front. The result is dictated by the commitment of the partners with agreed parameters of operation to bring the statutory and voluntary sectors together. To be successful there cannot be any passengers or any baggage from the poor relations of the past. All the partners must be contributing and active.

The Wicklow Experience

Sean Byrne, Upland Farmer and Board Member of Wicklow Uplands Council

Sean told us he was the fifth generation of his family living beside Lough Dan in County Wicklow and how over the years, visitor pressure from Dublin where a million people live now, was causing problems particularly at weekends when Wicklow became a playground to visitors from the city. The National Park for Wicklow had arrived, but had no liaison with the local people; and Duchas made a decision without any consultation to build an interpretative centre at Luggala. They proposed to build it right up in the very heart of the Wicklow mountains, where the county planning authority would allow no one to build anything! Protests and court actions were overruled in favour of Duchas by the use of a Section 24 planning motion. The people in the Burren had the same problem as Wicklow, but the court ruled in the Burren case against the proposed Duchas Interpretive Centre. Finally in the Supreme Court, two of the three judges decided that Section 24 was not applicable. Arising out of that campaign, many people realised that some sort of local partnership was necessary.

Adrian Phillips (Irish Upland Forum) took a group from Wicklow to the Mourne, where Dr. Mitchell and others showed us the situation there. The group came back with great ideas, held a public meeting to which all the stakeholders were invited from all over Wicklow and recreational users from outside the area. This meeting was the beginning of the Wicklow Upland Council, which is now six years old. It has not always been easy to get everyone working together, but the formation of an Executive Group has enabled the Council to make quite a lot of progress..

The make up of the executive group is: Farmers and Landowners have 7 seats; Community Groups and Councils have 4 seats; Recreational and Environmental Groups have 4 seats: Economic and Tourism have 3 seats- and the Executive Group also has 4 co-opted members. The co-options provided the opportunities to get in some useful people.

Sean outlined to the conference details of some WUC projects:

- The Voluntary Wardens had a certain amount of success.
- Mountain Meitheil is a group, which provide trail maintenance and footpath repair with limited resources. There is an awful lot more they could do and there is great potential for development.
- Mourne Wicklow Twinning Group continues - we have very good friends in the Mournes – when we are feeling bad we just take a trip up there and Arthur Mitchell will give us inspiration. This support has sustained the WUC at difficult times.
- Community based forest strategy looked at forestry in Wicklow. Part-funded by the Forest Service, we now have a state of the art plan that needs implementation.
- Schools Environmental Scheme demonstrated its great potential
- Tourism Information points pilot project also has potential
- Gwynedd (Wales)/Wicklow INTERREG Exchange Project. Looking at other people's problems helps us understand the issues and try harder to solve our own
- National Park categorisation. WUC lobbied hard for change from Category 11 to Category V status, thinking the latter would be more community friendly. To date it is hard to see any changes in attitude on the ground, but Wicklow now has Category V park.
- Access. At least we have people involved around the same table and we are still talking to each other.
- Heather Burning: Some fall-out arose out of the shortening of the heather-burning season by six weeks.
- Dublin/Wicklow Mountain Board is a body which was established to manage the 'Dublin-Wicklow shadow' 12 statutory bodies combine with 13 non-statutory bodies. We try to avoid having votes because that ends up with a winner and a loser and conflict. Duchas only attends with observer status.
- Amenity parking, rural housing and hills watch are others issues which have actively engaged the WUC.

Open Discussion Highlights

Question: Frank Nugent – MCI : Why in your opinion is there such a resistance to engage by statutory bodies?

Reply Arthur Mitchell - Mourne Heritage Trust: There is a reluctance (by a statutory body) to show confidential forward planning to a voluntary group that may take some exception to some of their plans and to discuss them openly. It's an understandable situation that they make decisions behind closed doors.

Ross Millar - Craigavon Council: Pointed out that failures occur, where there is: 'No point of focus; there has to be some greater scheme of things that everyone can sign up to! There needs to be a designation that everybody can relate to and say this is an important landscape and we have to manage it for the future!'

Ross Millar: 'Wicklow National Park, it is a glorified estate managed by Duchas. We really need to look seriously at a mechanism that will take integrated management forward right throughout Ireland.'

Question: Patrick Haugh, Farmer - ICMSA County Clare: Sought clarification regarding the establishment of Rights of Way?

Reply David Walsh MCI's Solicitor defined: A **private right of way** to cross someone's land either for access to a house or to access water between neighbours can be established after 20 years of use. A **Public Right of Way** is created only when the landowner dedicates it legally. Hill walkers (or others) crossing private land and not being stopped (even for several hundred years) do not create a Right of Way. It will never happen without the farmer's consent and dedication.

Views from Leitrim Partnership

Tom Lavin - Manager of the Leitrim Partnership explained the Leitrim partnership structure, which is made up of six-members from each of the following stakeholder groups: Statutory, Community, Voluntary and Social partners. The modus operandi he explained was: to look at problems first together and then to develop a strategy and plan for solving them.

Brian Smith, Rural Resource Worker – Leitrim Partnership: presented the following definition of partnership: 'where two or more groups, of different types agree without losing their specific identity to undertake something which is greater than themselves, or which they could not carry out alone or which is different from what they already do and carries risks and benefits.'

Aideen McGloin, Rural Development Researcher: outlined research findings relating to part-time farming in County Leitrim

The research findings indicated:

- The number of part-time farmers was higher than recent statistics would suggest
- The level of part-time farming in Leitrim appears to be of the order of 80%
- Two thirds of part-time farmers were under 50 years of age
- Part-time farmers were 50% more likely to be married than full-time farmers
- Part-time farming is much the norm and full-time is very much the minority
- Over half of the part-time farmers were employed off farm before they took on the farm.
- Part-time farming is a factor of labour market realities as well as declining farm incomes.
- Two-thirds of farmers estimate farming contributes less than 25% of family income.

In answer to the question, why do farmers farm in such hostile environment as Leitrim?

- 90% cited love of farming and way of life
- 80% enjoy an outdoor lifestyle
- 70% liked being their own boss
- 45% were carrying on the family farm
- 40% was a sense of fulfilment
- 10% were farming for income reasons
- 80% hoped they or their successor would be still farming in ten years time

Ms Mc Gloin summarised issues relating to farming in Leitrim: There is unflinching recognition that farming has declined in economic terms with the consequent

necessity for off-farm employment. It is ironic that the persistence of farming in areas such as Leitrim might be more dependent on the availability of local off-farm work opportunities to preserve the family farm than any other policy.

A Hill Farming Perspective

Michael Comiskey, chair of the IFA's National Hill Farming Committee

The principle aim of the Hill-farming Committee is to look and listen to the needs of the people who farm in mountainous areas in particular. People in these areas accept change and are willing to work with all sectors of the community in order to ensure the continued future for hill-farmers, so that they can continue to farm in these difficult rural areas.

Michael told us:

- The mountain and hill areas of Ireland represent a national asset for farmers and the wider community.
- The land belongs to farmers for generations and it is vital that people who wish to use the hills respect this.
- Farmers in general do not have problems with hill-walkers, provided due care is taken of the countryside and most important, consultation takes place between farmers, landowners and people who want to use the hills for recreational purposes.
- Too often in the past, people have tried to bully their way onto the hills and this has led to confrontation in certain areas.
- The issue of public liability concerns farmers, people who want to use the walks and hills should be insured and insurance costs should be met by tourist bodies and local authorities
- Farmers gained through payments under the REP scheme for creating walks with public access, while the wider community gained through increased tourism, B+B, self-catering and activity based tourism.
- The creation of walks must not lead to rights of way over peoples land. This must be clearly written into any agreement that is entered into.

Summary Statement

IFA is not anti hill-walking, but farmers must be consulted by people who wish to use their land and that farmers are rewarded for creating walks and the cost of maintaining these walks must be fully recognised by the public at large.

Open Discussion Highlights

Dawson Stelfox- CAAN: Re insurance, indemnification and liability. The only ones who benefits from the insurance route are the insurers. I think that in order to make sure that landowners are not held liable, it must be done either by government indemnification of landowners, or by the provision of sufficient legislation to make sure that liability just does not occur.

Joss Lynam - National Way-marked Ways: On the National Way-marked Ways, insurance is carried by the local authority and it indemnifies the landowners against any claims by recreational users. You can't insure every user, but you can indemnify the landowner.

Michael Comiskey - IFA: The farmer does not really mind, as long as he is protected some way.

Judith Annett Countryside Consultancy: Sought guidance on what practical mechanism is available for walkers seeking permission, if for example one had to cross 20 different people's land in a typical day.

Sean Byrne - Farmer - WUC: I think guidebook writers have a bigger responsibility on our behalf than they have taken on board.

Tony Gates - Mourne Heritage Trust: Perhaps the way forward is access forums involving landowners for defined geographic areas. They can manage access and look at new access issues as they arise.

Views from Fermanagh, Tyrone and Monaghan

Monika Donnelly, Slieve Beagh Partnership

Slieve Beagh is a partnership of communities in a cross-border region. They are cross-community, cross border in a natural area of about 800 sq. kilometres of mountains and lowland areas.

The aim of the partnership is social, cultural, economic and environmental regeneration. The Slieve Beagh partnership is not just a social and tourism partnership, it works in an area of 800 square kilometres that includes much of north Monaghan, the south-east part of Fermanagh and also parts of Clogher Valley in County Tyrone. This area includes some of the highest levels of deprivation and social exclusion on either side of the border. A lot of problems arose because the roads were closed through the troubles, closing off natural hinterlands and changing parish lines and trading activities. The effect was to isolate many people and change the culture in the area. The partnership was started out by a County Monaghan Community Council commissioned strategy, which recognised the need to reconnect the ties in the area as a pre-requisite to regeneration.

There is a big fear out there that if you go into a large partnership with other vested interests (mostly statutory), the community will lose its voice. That is probably why we are a community-based partnership, but one willing to work with everybody.

Strategic Partnership – the reality on the ground

Dr. Caro-lynn Ferris - Manager

Countryside Access and Activities Network for Northern Ireland (CAAN).

CAAN is tasked with developing and managing countryside recreational facilities in Northern Ireland. What we try to do is bring everybody together who is either directly or indirectly involved in countryside recreation. This involves 29 sports of which, 12 are land-based sport, 11 water and the rest air. There are local and central government organisations, farmers and landowners, environmental and community organisations, youth organisations and providers of outdoor education. I'll come back to each of these categories and tell you how they actually make up the members of the network.

Three Partnership Objectives:

- Manage any use of the countryside in such a way as to provide a high quality and consistent experience for all users
- Ensure that any new and developing facilities are resourced and managed in a strategic way
- Raise awareness of the opportunities that exist and their responsible use

Three Partnership Values:

- Mutual respect between all interested parties
- Sustainable access
- Providing quality experience

The Network Consists of:

Thirty-four people who sit around a table four times a year made up of Sub Groups such as:

- The NI Countryside Officers Forum
- The Access Liaison Group
- The Outdoor Learning Group
- The NI Sports Forum

Other organisations represented:

- Environmental conservation such as R.S.P.B. and Ulster Wildlife Trust
- Farmers and landowners such as the two farmers unions, the Ulster Farmers Union and NIAPA
- Community bodies such as Rural Development Council and Rural Community Network

Countryside Recreation Northern Ireland is a parallel company, which has 6 directors all members of the network. The company is limited by guarantee with charitable status, and is capable of drawing down money from Lottery, District Councils and Government.

The Work of the Network falls into four key areas:

1. Maintaining the partnership and its structure
2. Planned Development programme (Way-marked Ways/Eco trails projects/off-road cycling projects)
3. A policy research programme (Review of occupiers liability legislation)
4. An education and training programme (has developed a NI country code)

Lessons learned from partnership process at CAAN

Caro-lynn told us of her concerns relating to people who represent some organisations; who are sometimes very precious about their own organisation and are scared of partnership and other representatives who are not able to make decisions and are unable to communicate back up the line to their organisations. She contrasts the differences this makes compared to dealing with some key individuals that are actually committed to what the network is doing and are capable of working in partnership with others.

She stressed that ultimately the network is judged by what it delivers in practical projects. These require a constant stream of funding in order to maintain the quality and security of staff. There needs to be both on-going core funding to maintain staffing and the credibility and security of the network and project funding.

Discussion and Feedback from Regional Partnership Workshops

The conference participants were divided into workshop groups of representatives from four regional areas: West, Midlands/South East, North East and South West. Each group was asked to deliberate on four key conflict areas: Insurance, Access, Funding and Partnership.

The following is a consolidated list of points made on each topic:

Insurance:

- Clarification needed of legal position concerning Occupiers' Liability and also need for insurance.
- Local Authorities should provide indemnity insurance for farmers who allow access
- Walkers should carry cards indemnifying farmers against claims (along lines of Gun Club cards).
- If direct payment was introduced for access, then liability (a duty of care), would clearly be the responsibility of farmers

Access

- Start with respect for farmers where they live and where they work
- Encourage local authorities to appoint countryside officers
- Lack of information - people don't know where they can walk and where they can't
- Valid concern for an equitable return for recreational use of land
- Repair of damage to fences etc. and possible stock losses because of recreational use.

Funding

- Funding is needed for development and compensation for farmers.
- Ending of REPS access payment made farmers unhappy – now more difficult to sell walking to farmers
- Local income could be generated by the provision of services e.g. car-parks, toilets, tea and coffee outlets
- Time spent chasing funding reduces time spent in achieving objectives.
- National partnership with more clout than local groups needed to receive significant exchequer funding

Partnership

- Local partnerships need to arise from bottom-up community/local interest, including farmers, rural residents taking the lead with recreational users
- Time spent chasing funds should be better spent achieving other objectives. Political reality, there is almost no countryside recreation or countryside management or upland resource management. Perhaps this was something to be worked on by the conference organisers.
- Judge Partnership progress over a longer term, not a year or six months.
- People and landscape were Ireland's two main selling points and we are in danger of losing both; the former by rural depopulation and the latter by restrictions on access to the land. We should not concede this advantage to other nations and tourist destinations.

Reaction from the State Agencies

The following are key points gleaned from presentations made to the conference by senior representatives of statutory bodies in Republic of Ireland and Northern Ireland.

Pat Warner: Duchas

Negative Management: The remit of Duchas is nature conservation; insofar as we manage national parks, we have a legal remit to promote recreation and mountain usage and we are very proud to do so. If you are walking in an uplands area the chances are that some or all of what you are walking on carries one or more of three nature conservation designations (*Special Area of Conservation SAC* or *Special Protection Area SPA* or *National Heritage Area NHA*). We have to state that designation does not provide for recreation; it does not provide for public access or for the management of visual amenity. We can only object to development on ecological grounds and most of our directives under the Wildlife Act 1976 for example the Habitats Directive and the Birds Directive mention recreational use as potentially a damaging factor which Duchas have certain powers to control. This is negative management; just telling people not to do things or you will prosecute them.

Positive Management: REPS1 in the early days had a measure for encouraging access through which landowners in designated areas was paid if they allowed access onto the land. It was discontinued in REPS 2 because it was not taken up sufficiently under Repts 1. This happened in my personal opinion, because farmers were allowed take up only one voluntary measure and the competition from other measures was too good. The loss of that measure, which would have operated over all farmland REPS over all the upland area would have been of immense benefit and something that could have been built on.

Development of Nature Conservation: Over the last forty years (and I stress this is my personal thinking), we are at a new stage of conservation, in a cycle which:

- Started with *species* conservation
- Moving to *habitat* conservation
- Moving to *landscape* conservation and
- Moving in my opinion towards *human community* conservation.

Wouldn't it be very nice if we were talking about a holistic piece of legislation coming down from Europe. Legislation, which talked about preserving the entire system including the human activity within it, so that the birds and recreation and the farming and everything else were all dealt with in a joined up manner. That is not going to happen until people start specifically looking for it.

Partnership: Regarding partnership it is very important to get the scale right in terms of local, regional and national scale. It is important that the local partnerships have a reality in terms of geo-politics and each is an entity, which has some meaning in terms of the feeling that local people share.

Brian Geraghty: Bord-Failte

In his speech he made a number of key points:

- 'Governments nowadays develop resources for economic reasons and not for aesthetic ones.'
- 'Proper planning must be based on respect for everyone's point of view'

- 'There is no integrated, co-ordinated planning at government level to develop products.'
- 'The best approach to getting a project off the ground is to get all the local stakeholders together first and get all the i's dotted and t's crossed before you bring in the (state) agencies.'

Bill Murphy: Coillte

Making a Living in the Uplands: As the largest landowner Coillte owns and manages 430,000 Ha much of which is in the uplands where we have played a key role in their development. Gerry Patterson, who is a retired forester known to many of the people in the Wicklow Uplands Council, talks of over 60 families in the Glendalough Valley who made their living from forestry in the 1960's and 70's. Coillte provides a huge amount of access to upland areas. I would say in Wicklow, virtually all upland users start or end their walk going through a forest property and possibly parking in a forest car park.

In the mid-1990s Coillte embarked upon the sustainable forestry management. And there are three planks to its strategy:

- Economic sustainability
- Environmental sustainability
- Social Sustainability

Partnerships: Coillte works with local LEADER groups, local Authorities and national agencies such as Shannon Development. We also work with National Waymarked Ways Committee. Partnerships work best for us when they are delivering benefits not only to our partners, but benefits back to us. At a national level we consult with Duchas, Fisheries, the Forest Service and with NGO's such as An Taisce and Voice. We have met with MCI and the whole issue of why and where we build mountain roads was brought up and we are looking at it. At a local level we liaise with County Councils through indicative forestry strategies and with Fisheries Boards, local development groups and lots of NGO's.

We need to engage in joined-up thinking. It is important that all the partners understand all the needs and constraints of all the players.

Coillte is committed to partnership both in a formal and informal basis. We welcome this and we regard this as a way of working to meet the needs, not only in economic but on a social and environmental basis. However, it needs real dialogue. It needs real listening and I think it needs a lot of joined-up thinking if we are really going to actively manage the uplands that I know everybody here wants to see preserved and worked.

Graham Seymore: Environmental and Heritage Service, Northern Ireland

Top Down Conservation: In recent years, his work in the Environment and Heritage Service has been very much to do with nature conservation designations, the ASSIs as named in Northern Ireland, and SACs, and SPAs, etc. This is very top down conservation at its most extreme. At this moment, there is someone in Brussels

deciding how many peat bogs we should have declared as SACs in Northern Ireland. That is where the decision-making seems to be at the moment. We have probably spent about £15 million in the last ten years on implementing the Habitats Directive. In the same period of time we've spent just a fraction of that amount in terms of landscape protection.

In the uplands nature conservation, recreation and the well being of local communities, are all inextricably linked. And it is a great shame that the Habitats Directive, which has been one of the most important initiatives to come from Europe in conservation, pays scant regard to it.

Partnership: We must not be guilty of woolly thinking about what partnerships are for and what problems we want them to address. It is not good enough just to throw together a group of bodies in a vague hope that it has the right stakeholders involved, or in the vague hope it has sufficient local support or sufficient resources to do the job that you are giving it to do.

Speaking to Countryside State Agencies: When talking to those who work in the state agencies, who are involved in countryside conservation discipline, please help us not to become too polarised in our thinking. In the North we have good agri-environment schemes, we have good woodland forestry initiatives, we have good access legislation, we have a whole load of tools in the toolkit if we are prepared to use them in really imaginative and creative ways.

Michael Starett: Heritage Service, Republic of Ireland

The Heritage Council: The Heritage Council is a small semi-state body. We have a staff of 17 persons and we've got a huge national remit. We rely on partners. I think someone likened it to marriage and I suppose partnership, like marriage, does not always work. From the Heritage Council's point of view, our partnerships have been created or established to allow us deliver our functions, our responsibilities. Now under the Heritage Act, we have a very broad range of responsibilities and we have to be focused in a way that allows the partners to get something back as well as just the Heritage Council. Otherwise it won't work, both parties have to want it.

National Parks: I'd like to look at the myths of national parks a little bit. If you really want to look after the mountains, what you should do is draw a line around them and call them something. That is the way that you look after mountains.

Payment for access/conservation: We have talked about "compensation" for certain things. I really want the big shift away from that and I think the farming community do as well. We should be talking about positive things, we talked about REPs, and losing the access bit of REPs, but essentially, you know there should be a value on access. Society wants it, the MCI wants it, I want it. Its not compensation, its an incentive to actually manage something on behalf of the State, and the State must decide it is going to do it.

Volunteers: There has been a lot of talk about volunteers and the use of volunteers. We should not be reliant on it, but people will come back and contribute. All it needs is a framework and the structure and the commitment to allow them to do it.

Landscape Policy: The way to do it is legislatively, ultimately, through commitment and through policy. You are the ones who are actually providing the courage and the drive for the likes of myself and the other policy makers to carry forward your vision, which is paraphrased in a policy paper on *Ireland's Landscape and the National Heritage*. It talks about 'cherishing heritage throughout the community' and about integrating agencies and their policies to bring benefits. It quotes from the 1996 conference: '*if we lose people and their links with the land, we will be left with just wet hills and lakes*'

The landscape must be given prominence in any future policies, formulated for our national heritage and for rural development generally.

What Should We Do Next? (Closing Discussion)

David Rowe -WUC

I think the time has come when we ought to have national legislation for National Parks. I think we ought to have two categories: national parks and a park designation which is totally community-based.

Adrian Phillips- IUF

Perhaps another thing to do would be to construct a Do and a Don't list for anybody who is thinking of setting up a partnership like the Wicklow or Mourne partnerships.

National Support Mechanism for Upland Partnerships

Adrian Phillips

We could resurrect the Upland Forum as some sort of national support unit. We could try to raise a bit of money and then provide local groups like the Leitrim/Sligo group with some mentors; invite visitors from Wicklow or from the Mournes or from some other aspect to one or two public meetings and subsidise a study meeting for people from an area to look at what is happening in Wicklow etc.

Clarify the Law for all on Access

Unidentified Speaker

May I suggest The MCI together with representatives of the owners would clarify the law on ownership, rights of way, on public liability and write a one page basic English document on the back of which would be a code of practice. This would not be taking a position but a statement of fact. If you walk on land for a hundred years you still don't get a Right of Way because that's the law.

Ross Miller

I honestly believe if you want to move partnership approach forward in the Republic, it needs to have the ownership of a government department somewhere.

Adrian Phillips

I think the Wicklow Upland Council would not be around today, were it not for the Heritage Council funding them. Now if we had six upland councils in five years is the Heritage Council going to have funding for them all.

Michael Starrett – Heritage Council

Ultimately at the end of the day, the next step is that government has to accept the policy. It has to accept the benefits of it and we must be lobbying as hard as anyone else on your behalf to try and achieve that.

Conference Conclusions (Closing Remarks)

Frank Nugent – MCI

At the opening of the conference, Joss Lynam told us this conference was about the mountains, the people who live there and the people who use them. Dawson Stelfox told us that mountaineers seeing themselves as guardians of the mountain environment had laid down a summit charter, which linked the protection of the natural terrain, taking personal responsibility for good practice, sustainable tourism and of course ensuring economic benefits for local communities and no liabilities for landowners.

Dawson advocated genuine ground-up partnerships, forged between those who know, love and respect the landscapes and the wild places of Ireland and who are genuine in finding ways to protect, care and enjoy them whilst at the same time sustaining viable rural communities and traditional farming practices.

We heard the partnership experiences in the Mourne and Wicklow. They set down some guiding principles:

1. The first and most important question about any measures you take – Is it good for the community?
2. Is it sustainable economically?
3. Is it sustainable environmentally?

Drawing down funds and meeting the needs of the audit trail can become a pre-occupation, diverting valuable resources from achieving the partnership goals.

We heard from the partnership experiences of Leitrim, Sligo and from Fermanagh, Tyrone and Monaghan and from Northern Ireland's Countryside Access and Activities Network. We heard from all about community development and a vision of upland communities whose core is based on belonging to a shared identity and place. We got many examples confirming how strong such local ties are in Ireland. The case was well made for partnership structures and funding that are community-centred and bottom-up in their approach.

The non-farmers heard from the mouths of farmers the detail of the tough economic time they are currently going through. We were given insights into our current dependence on livestock production in a very uncertain market place. The debate took place in this climate. The need for non-farmers to understand and respect the role and dignified perspectives of hill farmers was well made by some of those who remain who have inherited the culture tradition of farming and who continue as the chief custodians of our landscape.

We heard that people cannot live on farming alone, and how the majority of upland farmers are now part-time. It is fundamental to the sustainability of upland communities, that upland farming stays in place and that further loss of population in the uplands is a threat to all.

We heard the views of urban-based recreational users, farmers, tourism providers and lawyers regarding the establishment of rights of ways, access, insurance, occupier's liability and indemnification of landowners. It was clarified that rights of way can only occur when the property owner dedicates it so.

We heard that financial funding and real engagement with statutory bodies must occur. It cannot operate Stop-Go. It has to operate continuously to provide stability. The State bodies have told us that if we lobby hard, they will respond.

Central to the conference was the acceptance by all present to the guiding values and principles involved in creating partnerships to manage economic activity in the upland countryside, which is sustainable in economic, environmental and well as community terms. We have heard the very supportive evolving perspectives of Duchas, Bord Failte, Coillte and the statutory Heritage bodies, both North and South. We have recorded all of the sessions and will publish the proceedings for the benefit of those who are concerned with the future of upland communities and the landscape, which supports all our interests. We leave here with hope in our hearts, we will continue to build on the good will and structures we have collectively built to date and look forward to direct government support for the community-centred partnership approach to solving the identified problems and to build a strong sustainable future for our upland regions.

Thanks to all speakers and all those who came a long way and to the agency representatives who came and stayed to listen to the views of the other stakeholders. A special thanks to Professor Adrian Phillips of TCD who has been the mainstay of the Irish Uplands Forum, and who lent his usual quiet, yet very effective wisdom to the organising and managing of this nationally important conference.

Thanks also to the organising committee who worked with Adrian. The committee consists of Joss Lynam, Gay Needham, Helen Lawless of the MCI, Ross Miller who travelled South again to assist us yet again and to Mary Tubridy of TCD for all the work they all put into the planning and for managing all that has happened in the last few days.

The Late Professor Adrian Phillips

This account of the proceedings is published and dedicated jointly by The Irish Uplands Forum and the MCI to the memory of the conference Joint Chair: Professor Adrian Phillips, Professor of Geology TCD, a founding member of the Forum and joint editor with Dave Hogan of the proceedings of the 1995 conference in Galway "*Seeking a Partnership Towards Managing Ireland's Uplands*" who died in December 2003.

We who worked with him in the IUF and who in so many different ways benefited from his fellowship, wisdom and good example were truly privileged. He was a true champion of sustainable partnership based on community. He is a great loss to his wife, children, family and friends and to the people of Ireland.