



**An Roinn Forbartha
Tuaithe agus Pobail**
Department of Rural and
Community Development

Walks Scheme



November 2023

Aughris Coastal Walk, Co. Sligo



Paradise Hill, Co. Limerick

Introduction

The Walks Scheme was launched in 2008 and is aimed at private landholders. It involves the development, enhancement and maintenance of developed trails which are approved by Sport Ireland Outdoors and listed on the National Trails Register.

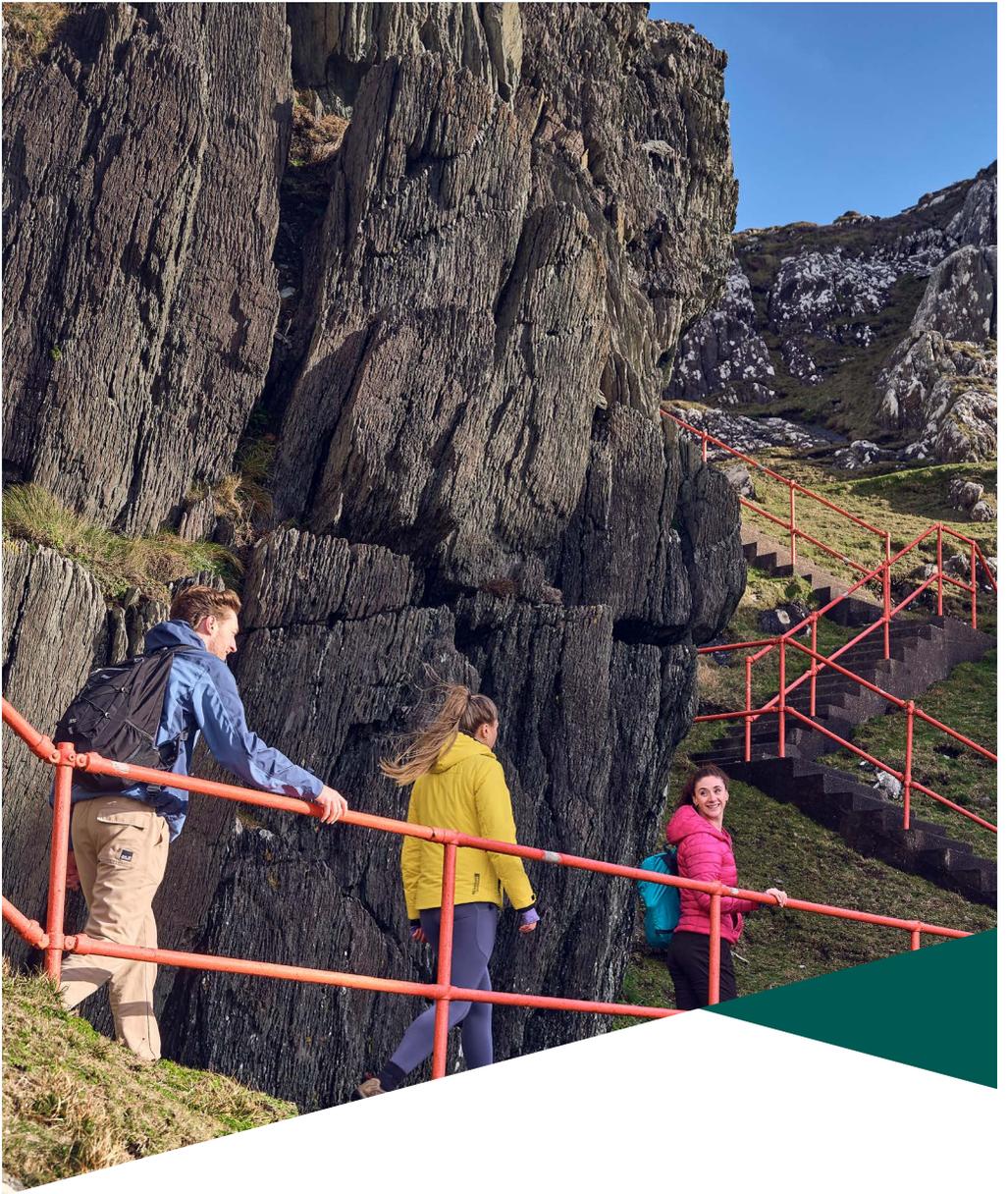
The scheme is currently administered at a local level by 20 Local Development Companies (LDCs) on behalf of the Department of Rural and Community Development (listed on Appendix 2).

The Department provides a funding contribution for Rural Recreation Officers (RROs) in each of these LDCs, with a contribution also being provided from Fáilte Ireland. The RRO assists with the delivery of the Scheme and supports other rural recreation initiatives at a local level.

A review of the Walks Scheme was published in September 2021 and a number of recommendations have been implemented in relation to the future expansion and administration of the scheme.

It should also be noted that the scheme only operates where all of the private landholders along the entire trail agree to the terms of the scheme.

¹ Local Development Companies as referenced under Section 128f (1)(d) of the Local Government Act 2001 (as amended by the Local Government Reform Act 2014) are designated eligible applicants for this Scheme.



Sheep's Head Trail, Co. Cork

Outline of Scheme

1. The scheme is known as the “Walks Scheme”.
2. The scheme is aimed at private landholders who may coordinate with a local trail management organisation, and who, upon acceptance onto the scheme by the Department of Rural and Community Development (DRCD), and their formal acceptance of the terms of the Scheme, become “scheme participants”, and from this point work with their local LDC and RRO.
3. The scheme is currently administered by 20 LDCs on behalf of DRCD. Further expansion of the scheme may require additional LDCs to administer the scheme.
4. The scheme participant is the private landholder who has exclusive possession and use of the land in question in return for a participant payment upon acceptance of the terms of the scheme on an approved trail.
5. Where land is held under a lease, the scheme participant will be either the landowner or the leaseholder but not both. Where the land is leased and where the leaseholder holds the land for a period in excess of eleven months, the scheme participant is the leaseholder, and the leaseholder will declare that he is entitled to do so under the lease and sign an indemnity to that effect. Where the leaseholder has a lease for eleven months or under, the scheme participant shall be the landowner who will likewise declare that he is entitled to do so under the lease and sign an indemnity to that effect. Where the lease is eleven months or under and the landowner does not avail of the scheme, the scheme participant may be the leaseholder.
6. Scheme participants agree to enter into an agreement to deliver the scheme for a period of 5 years, and will receive a payment for their work on the development, enhancement and maintenance work as set out in their agreed “Work Plan”.
7. The LDC will agree a draft work plan with the participants based on Sport Ireland Outdoors criteria for a developed trail and will determine the materials required along with the hours deemed necessary for the work to be carried out. Provided in Appendix 1 to this document is guidance on the basic standards required, to assist in drafting participant work plans. The work plan will determine the number of hours of labour required by the

participant, for which they will receive a “Participant Payment”. The workplans will be reviewed by Sport Ireland Outdoors, and DRCD will give final approval to participant work plans.

8. Six months’ notice is required before a scheme participant can leave the scheme. It may be necessary over time to alter or terminate a route and the participant will be given six months’ notice of such a change. The Department reserves the right to withdraw from the scheme in such circumstances.
9. Where land is held in commonage and where there are multiple applications to carry out works by persons with an interest in the same area of commonage, the following procedure will apply.
 - i). A single work plan for the area of commonage shall be agreed in accordance with the provisions of the scheme.
 - ii). The hours of work designated as appropriate for the area of commonage shall be divided equally between all individuals with an interest in the land who have submitted an application, irrespective of number of shares held.
 - iii). The LDC will be responsible for notifying each applicant of the number of hours of work for which they will receive payment and for dividing out the work between the participants.
10. A landholder can nominate a third party to participate on the Scheme in their place for any reason. The nominated person will undertake the maintenance work on their behalf and receive the participants’ payment for same.



Summit of Carrauntoohil, Co. Kerry

Applications for Participation in Scheme

11. The Scheme opens to new trails via a call for Expressions of Interest (EOI). A call is issued by the Department when there is financial provision available to support new trails
12. To be eligible for consideration as a Walks Scheme trail –
 - ▶ The entire length of the trail must be defined
 - ▶ The trail must be available to the public
 - ▶ The trail must be listed on the National Trails Register which is maintained by Sport Ireland Outdoors.
 - ▶ There must be a clear agreement (in writing) from all landholders along the entire route that they are willing to allow access to recreational users and are willing to participate in the scheme.
 - ▶ Extensive engagement with communities and trail management organisations must have taken place. It is essential that any expression of interest is developed based on direct engagement with the relevant trail management organisations, community group, local authority and landholders. Evidence of this will be required.
13. Trails are then assessed on the basis of strategic importance, readiness, geographic spread etc.
14. The LDC will deal with the administration and coordination work on the scheme for each participant.
15. Following approval of the trail to join the Scheme by DRCD, the LDC will develop workplans for each section of the trail.
16. Once these workplans are approved by DRCD, a contract will be signed between the LDC and the scheme participant.



Ballyvaughan, Co. Clare

Insurance/Indemnity

17. All trails which are approved to join the Walks Scheme are listed on the National Trails Register and are therefore covered by a public liability policy which is managed by Sport Ireland Outdoors. This insurance policy will provide public liability cover for landholders who join the Walks Scheme.
18. Trails on the scheme will be subject to periodic audit by Sport Ireland Outdoors to ensure that the criteria is being met on an ongoing basis.
19. The Courts and Civil Law (Miscellaneous Provisions) Bill 2022 has amended the Occupiers' Liability Act (1995). These reforms rebalance the duty of care that landholders and occupiers owe to people who enter onto hills, farmland or other premises in favour of landholders and occupiers. This gives greater protection to both private and public landholders and should provide assurance to landholders, and encourage those with recreational activity on their land to continue to facilitate access.

The main changes to the Act include:

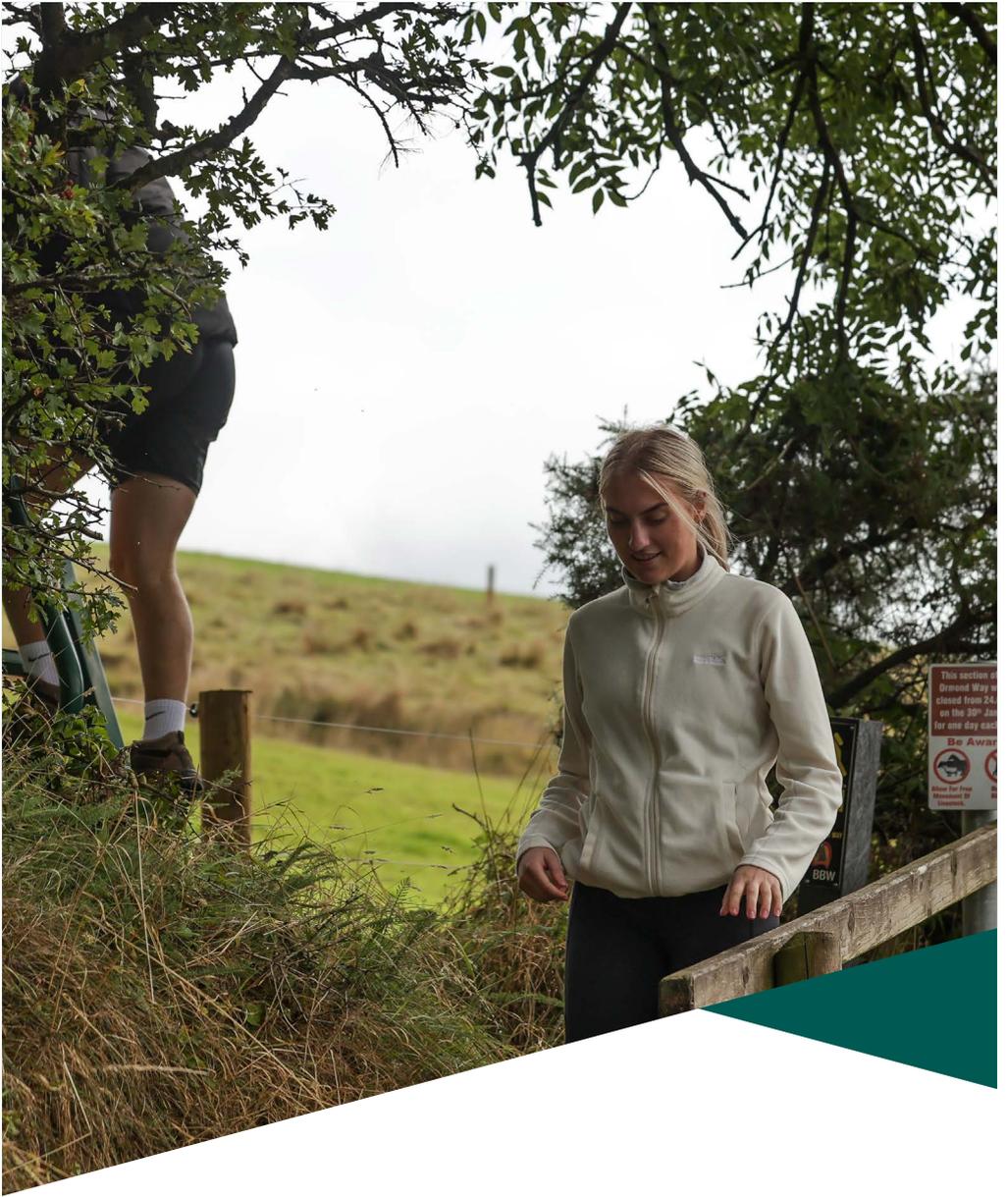
- ▶ The higher duty of care owed to visitors, which includes people who pay an entry fee, or are invited onto property, has been reduced.
- ▶ There are new limits to the circumstances in which a court can impose liability on a landowner where a person has entered onto property for the purpose of committing a crime.
- ▶ In relation to the landholders' duty to take reasonable care to maintain a structure for use by recreational users in a safe condition, regard shall now be had to all of the circumstances of the case. This reduces what was a high duty of care on landholders.
- ▶ A new section 5A in the Act allows for a broader range of scenarios where it can be shown that a person has voluntarily assumed a risk that could result in harm. This embeds in legislation a long-established principle that participants in outdoor recreation activities should take responsibility for their own actions and their own safety.



Glenbarrow, Slieve Bloom Mountains, Co. Laois

Payment

20. All payments will be administered by the LDC.
21. Participant payments for maintenance, enhancement and development works are made on a 6 monthly basis. On entering the scheme, participants will receive 50% of the approved annual participant payment in advance, with the balance being paid 6 months later.
22. The scheme participant's payment will be calculated on the basis of the number of agreed hours per annum as specified in the work plan. This is paid at the Department of Agriculture, Food and the Marine's "own labour" rate. The maximum hours per annum per participant is 200 hours per trail. Where this is not sufficient, any additional work can be done, with the prior agreement of the landholder, by the LDC through the Rural Social Scheme (RSS) and any other similar schemes. This may vary in cases where lands are in multiple ownership.
23. The LDC, through the RRO, will ensure that agreed works are completed to a satisfactory standard on a periodic basis.
24. Each scheme participant allowing their land to be used can carry out all or part of the necessary works themselves, or they may give permission to allow for the works to be carried out by others such as the RSS/other (contractor, local community group etc.).
25. In cases where the scheme participant is not in a position to carry out extensive enhancement or development works, the landholder may permit RSS participants or others (contractor, local community group etc.) to complete this work.
26. Under the scheme, participants will only receive payment for those hours of labour carried out by them, as agreed in the work plan, and will not receive payment for works carried out by other persons or bodies.
27. DRCD will provide funding of €100 per work plan to the LDC as a 'Materials Budget' for the purchase of everyday necessary materials expenditure such as sand, gravel, stakes, wire, staples, gates etc. to maintain the trail.



Ormond Way, Co. Tipperary

Appendix 1

Walking Trails Maintenance Guide

The following is intended as a guide to the preparation of trail maintenance workplans for Local Development Companies (LDC), local trail management organisations and landholders.

Workplans will be drawn up by the LDC following a site visit and maintenance assessment with the Scheme participants and should include all agreed jobs, the frequency and the time of year that work should be carried out.

All workplans should be consistent and only include work that:

- ➔ Is necessary and that will add to the overall quality and sustainability of the walking route/trail.
- ➔ The participating landholder agrees to undertake.
- ➔ In order to take account of the natural heritage and wildlife at a site, appropriate ecological advice is required at the early stage of development, enhancement and maintenance of any trail funded under this scheme. This will ensure biodiversity is protected and the legal requirement for environmental assessments prior to consent (as appropriate) is clearly understood.

For example it is important to know:

- ▶ Is the site within a European or nationally-designated site (e.g. Special Area of Conservation, Special Protection Area or Natural Heritage Area)?
- ▶ Have the appropriate environmental assessments been carried out?
- ▶ Screening for Appropriate Assessment (AA) (if required)
- ▶ Screening for Environmental Impact Assessment (EIA) (if required)
- ▶ Have the correct consents been received (e.g. planning permission or consent to carry out activities in a designated site)?
- ▶ What sensitive ecological habitats or species exist at a site?
- ▶ Is an Ecological Impact Assessment recommended due to the ecological sensitive nature of the site?

- ▶ Is there an appropriate maintenance plan in place - one that includes measures to protect or enhance biodiversity (as appropriate), and who is responsible for this plan?
- ▶ Will the protection of biodiversity be included in any monitoring plan?

Trails on the scheme will be subject to periodic audit by Sport Ireland Outdoors to ensure that the criteria is being met on an ongoing basis. .

In general:

Regular monitoring of the trail within the area managed by each participant is essential to ensure the route is clearly marked, free from obstructions, active erosion and also to plan maintenance.

A clearly identified and demonstrated requirement is necessary for all trail materials. The replacement or construction of surfaces and furniture should aim to achieve durable and/or low maintenance requirements.

The following tasks could be incorporated into work plans for individual landholders participating in the scheme.

1. Administration and General Inspection:

- ▶ Monthly trail check, including clearance of litter as necessary
- ▶ Initial Site Assessment
- ▶ Accompanying RRO or LDC representative on trail inspection (as required)
- ▶ Liaising with local trail organisation

Estimated Time: Approximately 20 hours per year

2. Way marking & Trail Furniture/Structures

- ▶ Ensure that all way-marking and signage is clean, secure, free from vegetation, properly aligned and clearly visible; attach and maintain directional arrow plates, replace when necessary.
- ▶ Erect additional way-marking and add additional furniture or structures as directed by the RRO/LDC representative.
- ▶ Report maintenance issues to the RRO/LDC representative

3. Water Management on trails:

- ▶ Checking and clearing or unblocking drains of accumulated debris or other material
- ▶ Digging new drains as necessary, in consultation with RRO/LDC representative and following ecological advice.
- ▶ Carry out small repairs to drains
- ▶ Keeping water away from the trail by inserting stepping stones / bog bridges etc., where the surface is particularly muddy or waterlogged in consultation with the RRO/LDC representative and following ecological advice.

4. Vegetation Control along trails:

- ▶ Cutting back encroaching vegetation around markers, stiles and bridges, and on the path to ensure that the trail is maintained a minimum of 1 metre in width.
- ▶ This should be carried out only where necessary for health and safety reasons and with full recognition of the legal requirements to protect nesting birds.
- ▶ Ensure trail furniture, structures and signage are free from vegetation.
- ▶ Hedgerow maintenance, pruning to be carried out once or twice yearly (between 1st September and 28th February).

5. Fencing

- ▶ Ensure any fencing and/or walls that cross, or are adjacent to the trail, pose no risk to trail users.
- ▶ Ensure mammal crossings have been accommodated at the correct locations to allow the unhindered movement of wildlife (seek appropriate ecological advice).
- ▶ Ensure all barbed and electric wire adjacent to stiles or other passing places is covered in protective tubing.
- ▶ Ensure gates open and close easily and maintain, repair or replace as necessary
- ▶ Erect and maintain livestock and farming warning and information signs and temporary fencing where required.

6. Surface Maintenance Works:

- ▶ Minor surface damage repaired as required
- ▶ Re-surfacing periodically as required depending on surface type
- ▶ Clearance of loose material and debris from trail
- ▶ Laying stepping stones or “Bog Bridges” (e.g. sleepers) across wet areas, however, appropriate ecological advice may be required before undertaking this type of work where sensitive ecological wetland habitats are present and in some cases planning permission may be required.
- ▶ Re-packing loose stone work where it has settled or washed out
- ▶ Re-surfacing washed out or worn away surfaces or compaction behind drains etc.
- ▶ Re-turfing or blocking path braids, or short cuts and off-path use.
- ▶ Stone pitching and stepping

7. Other Possible Maintenance Jobs:

- ▶ There may be other possible maintenance works which can be identified by the landholder or LDC.



Mountshannon, Lough Derg, Co. Clare

Appendix 2

Local Development Companies administering the Walks Scheme (November 2023)

1. Ballyhoura Development CLG
2. Cavan County Local Development
3. Clare Local Development Company Limited
4. Comhar na nOileán Teoranta
5. County Kilkenny LEADER Partnership Company Limited
6. County Sligo LEADER Partnership Company Limited
7. Co. Wicklow Community Partnership
8. Donegal Local Development Company Limited
9. Forum Connemara Limited
10. IRD Duhallow Limited
11. Laois Community and Enterprise Development Company Limited
12. Leitrim Integrated Development Company Limited
13. Louth Local Development
14. North East & West Kerry Development (NEWKD)
15. Roscommon Integrated Development Company Limited
16. South Kerry Development Partnership Limited
17. South Tipperary Development Company Limited
18. South West Mayo Development Company Limited
19. Waterford LEADER Partnership CLG
20. West Cork Development Partnership Limited

Department of Rural and
Community Development
ww.gov.ie



Rialtas na hÉireann
Government of Ireland