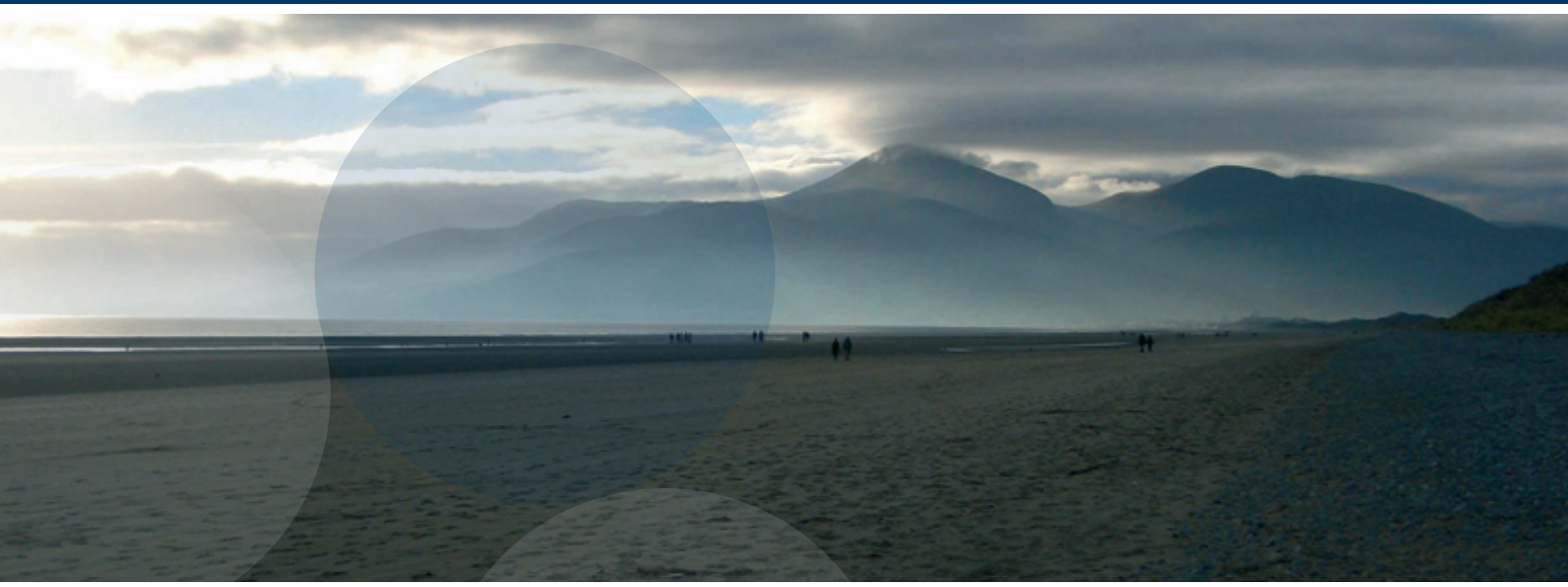


Mourne National Park Working Party Report to the Minister

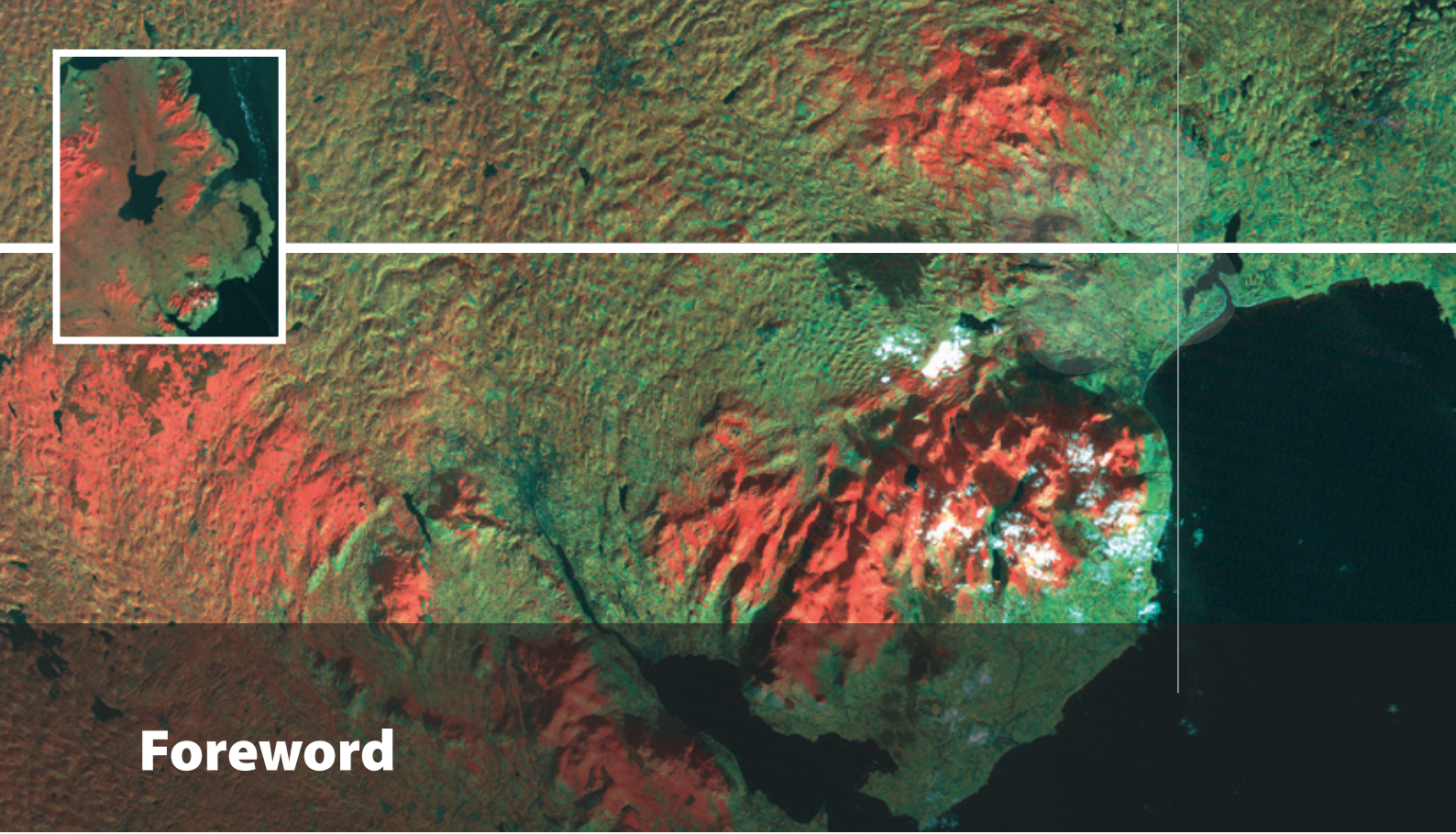
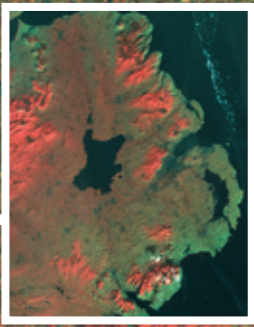
September 2007





"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

*Theodore Roosevelt – Speech at the Sorbonne
Paris, France, 23 April 1910*



Foreword

I am pleased to present the Report of the Mourne National Park Working Party.

This has proved a tough assignment, with strongly held views for and against a national park. However, what has kept us together has been a commitment to the future of the Mournes, to the people of the area, and to the wider community for whom they are special. The landscape of the area is dominated by the framework set by the granite mountains. Some say that the granite has found its way into the character of the people of the area – tough folk who have worked the land for generations, and in whose care it remains. It has been a difficult and challenging task but, we believe, one that is immensely important.

We have consulted widely. What emerged from the consultation was a wide range of concerns on many issues which the Working Party consider must be listened to and addressed before further steps are taken in this process. Taking positive action to resolve these issues would demonstrate to all concerned that the Government is sincere in its statements that the interests and concerns of local people are vitally important. Our report on the public consultation is being published at the same time as this report. The members of the

Working Party have reflected the spectrum of views expressed in the consultation, and there should be no doubt that they have not hesitated to champion their perspective throughout. As our published minutes show, we have had vigorous debate. Nonetheless members have been committed to working together and mapping out the issues which need action.

A great many people have played their part in bringing our work to fruition. Throughout, the Working Party members have given freely of their time and expertise. They have been ably supported by observers from the Environment and Heritage Service, other departments of central and local government, and officials from a wide range of agencies. Further support has come from the consultants appointed to undertake work on our behalf. As Chair of the Working Party, I wish to record my personal gratitude to my fellow members and to all who have contributed. They have worked tirelessly on this task. These are people who know the Mournes and the people of the area, and care passionately about them.

I commend this report to you.

Harvey Bicker



Contents

Foreword	5
Contents	7
1. Introduction	8
2. Background to the Working Party	10
2.1 Establishment of the Working Party and its Remit	10
2.2 Method of Working and Structure of the Report	11
3. The Public Consultation	12
3.1 Objectives of the Consultation	12
3.2 The Consultation Process	13
3.3 The Overall Consultation Response	13
4. Responding to the Issues Raised	14
4.1 Protecting and Enhancing the Environment	15
4.2 Working with Farmers and supporting the Farming Economy	17
4.3 Access Issues	19
4.4 Developing Tourism and Managing Visitors	21
4.5 Affordable Housing	23
5. Management Arrangements	26
5.1 Consultation Perspectives	26
5.2 An Integrated Management Body	26
5.3 Local Management	27
5.4 Area Management	28
5.5 Land Use Planning	29
5.6 Local Government Boundaries	30
5.7 Funding and Resources	30
6. Boundary Issues	32
6.1 Advice on a Proposed Boundary	32
6.2 Consultation Responses	33
6.3 Consideration by the Working Party	33
7. Way Forward	38
7.1 The Working Party's Position	38
7.2 Next Steps	39
Annexes:	
A. Membership of the Working Party	42
B. Meetings of the Working Party	45
C. References	47
D. List of those who made Written Submissions	49
E. Designations in Mourne AONB	52
F. Recommendations	54

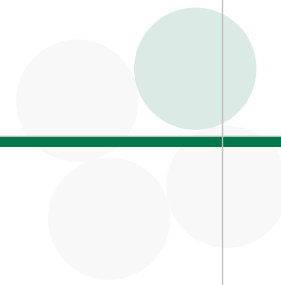


1 | Introduction

This report is about the future of the Mournes, an area which is special in so many ways. The mountains and their surrounding landscapes are unique not only in Northern Ireland but also in Europe. It is a lived-in landscape, home to many people, and it is a place more and more people come to visit and enjoy.

The mountains of Mourne have an international reputation, even among people who have never seen the mountains. The area is renowned for its beauty and its heritage. The land provides water, timber, food and stone, as well as environments for residents and visitors to enjoy. It presents a succession of landscapes from the rugged uplands of Slieve Croob across to the high peaks of the Mournes then sweeping down through the surrounding farmland with its granite boulder walls to the Irish Sea, to Carlingford Lough, and to the coastal towns and fishing harbours. The quality of the area is reflected in its landscape, habitat and biodiversity designations, and above all its designation as an Area of Outstanding Natural Beauty (AONB).

The Mournes and Slieve Croob area has a population of more than 50,000 people in an area of 57,000 hectares. It includes the towns of Newcastle, Dundrum, Castlewellan, Hilltown, Warrenpoint, Rostrevor, Kilkeel and Annalong. Employment is varied; there is a high proportion of self-employment and also of commuting, with the area within range of greater Belfast. Ownership of land is as diverse as the scenery. In the uplands and High Mournes, the Mourne Trustees have large holdings. There are 23 Trustee Groups within the Mourne AONB, where the Trustees are also responsible for managing the area. The Water Service, Forest Service and National Trust also have large holdings. Overall, 53% of the landscape is actively farmed but, by contrast with the High Mournes, most of the land is in small holdings – some very small - with an average size of only 15 hectares.



The Mourne area is also one of Northern Ireland's most popular tourist areas. It lies directly between Belfast and Dublin, and is readily accessible to both cities, especially with the improvements in road links to the south. It is estimated that in 2003 there were 1.43 million visitors to the Mourne AONB. Many people come for day trips, and others on holiday. They come to the towns, the coast, the forests and the uplands, and come for a host of active and passive enjoyment, some to walk the hills, but others to visit the sights, or enjoy the seaside and the stunning scenery. As a result, some parts of the area are already under pressure, and there is potential for this activity to grow.

The challenge is how to guide and manage this pressure, and to do so in ways that enhance, and do not threaten, the environment which people come to see, and at the same time respect and contribute to the quality of life and livelihood of the people for whom it is home.



2 | Background to the Working Party

2.1 Establishment of the Working Party and its Remit

In 2002, the Environment and Heritage Service commissioned a study on the potential benefits of establishing one or more national parks in Northern Ireland. This study identified the Mourne area as being most suited for national park status. Following this study, successive former Ministers, Dermot Nesbitt, Angela Smith and Jeff Rooker said they would work towards the aim of creating a national park in Mourne. At an initial consultative event in 2003, those attending were asked about the best way to involve local people in the process, and the independent working party was a direct outcome of this.

The Mourne National Park Working Party was established in October 2004 at the request of the then Minister, Angela Smith MP. Its Chair, Harvey Bicker, was appointed following public advertisement. The other Members have been nominated from a range of organisations including the three district councils, farming organisations, community groups, conservation bodies, and recreation and tourism interests. Following strong representations, the Chairman wrote to the Minister and supported

the inclusion of two nominations from the Mourne Trustees; following agreement from the Minister, they joined the Working Party on 17 May 2005. Members of the Working Party attend in their own time and are unpaid. The Members, listed at Annex A, are supported by Observers from several statutory and executive bodies, and a Secretary.

The remit of the Working Party is:

- To commission research to help make decisions on the boundaries of the proposed national park.
- To develop proposals for a management structure for the proposed national park.
- To carry out the consultation processes regarding these proposals.
- To make recommendations to the Minister on the outcome of this work.

The pamphlet on the Working Party, published in 2005, states:

“As yet there has been no decision on either making a national park in Mourne, or a model for such a national park. The Working Party has an important role to play in opening up the debate,

providing information about a potential park and representing the views of the people of Mourne.”

2.2 Method of Working and Structure of the Report

Since October 2004 the Working Party has met 24 times over a three year period, and has held workshop sessions in addition. In its first year it concentrated on gathering information and commissioned a study to explore potential boundaries for a national park. It also liaised with other bodies and commissioned research on socio-economic aspects of national park designation. From 1 September 2006 to 31 January 2007 undertook what is believed to be one of the most extensive public consultations ever carried out in Northern Ireland. This sought to find out the views of people, particularly those from the Mournes and Slieve Croob area, through public meetings, leaflets, a mobile information unit, a website, a telephone information line, and media coverage.

This report sets out to fulfil the Working Party's remit. It reports first on the outcome of the public consultation, and examines and makes recommendations on the topics raised. It then explores potential management arrangements for the area, and the boundaries appropriate to designation, again taking into account the consultation processes. Finally, the report makes recommendations on the way forward.





3 | The Public Consultation

3.1 Objectives of the Consultation

The public consultation ran from a launch event on 31 August 2006 until 31 January 2007. The objectives were:

- To inform the general public of Northern Ireland about the work of the Mourne National Park Working Party to date and to provide access to all the reports that had been commissioned by the Working Party.
- To engage with the general public of Northern Ireland, the people of the Greater Mourne area in particular and all relevant stakeholders on:
 - (i) The proposed boundary of the national park as set out in the 'Mourne National Park Boundary Recommendations' report by Alison Farmer Associates and Julie Martin Associates.
 - (ii) Their views on the potential benefits and/or potential disadvantages that national park designation would bring to the local area and Northern Ireland as a whole.

In addition to the general public, the key consultation stakeholders were defined as people living, working and with investment in the greater Mourne and Slieve Croob area (both within and neighbouring the proposed boundary).

Throughout the consultation, the questions asked were deliberately open-ended, and sought views on:

- Do you see benefits in having a National Park in Mourne?
- Do you have concerns about a National Park in Mourne? and
- Whether people agreed, or not, with the proposed boundary and why.

The Working Party decided that there should not be a "Do you want (or not want) a National Park" question as this was not to be a referendum on the issue, and in the absence of draft legislation it would be difficult for people to make definitive informed decisions as to whether they were for or against the National Park.

3.2 The Consultation Process

Through the consultation over 42,000 leaflets were distributed and 2298 responses 12,000 of these were distributed via a mobile information unit which toured the area over 8 days, stopping at 34 separate locations. 10 consultation events were held, attended by more than 1150 people. Over 130 press articles, 16 radio features and 7 television features were generated in relation to the consultation, and in addition there was a website and telephone information line service. 79 written submissions were received, some very detailed, plus 3 petitions with a total of 580 signatures.

The full report of the consultation, prepared by Inform Communications, facilitators acting on behalf of the Working Party, is being published at the same time as this report.

The Working Party is aware that the process has been subject to criticism, in particular that public consultation meetings were not held in all areas (especially in Slieve Croob); that answers could not be given to matters raised at meetings; that the national park is a 'done deal'; and that the meeting format did not facilitate the expression of a range of views. There has also been criticism that the consultation should not have had its main focus on the Mourne and the immediate neighbourhood alone, and some Working Party members felt that they should have consulted more widely across Northern Ireland. However, it was considered right to focus on the local communities, as these are the people most affected. The agreed position was that the consultation would be widely advertised and those outside the area who were interested could either make their views known in writing or ask for a meeting with the Working Party.

The extent of the consultation and of the responses to it suggest that its reach has been wide, including substantial input from people from the Mourne and Slieve Croob; there has been an opportunity for a large number of people to contribute. It is acknowledged that all questions could not be answered during

the consultation. This is because proposals are not a 'done deal': the role of the Working Party has been to "open up the debate", to listen to people's views and to hear what they have said, and then to consider and report on them. The Working Party undertook to note the issues raised and to include them in its report to the Minister.

3.3 The Overall Consultation Response

Taking all the representations into account, the predominant view of those in the Mourne and Slieve Croob area who responded to the consultation is one of opposition to any national park. This is particularly the case from the farming and landowning communities, and from those living just outside the proposed boundary. Conversely, most Northern Ireland organisations, and many (but not all) business, tourism and environmental interests in the Mourne are in favour of a national park.

In particular there has been a strong and vocal local 'no' campaign. This is reflected in 617 of the 2298 responses to the leaflet simply stating 'No National Park' or a variation thereof; in the 580 petition signatures; and the prominent posters throughout the area. These views have been forcefully expressed at several of the public meetings.

However, a detailed examination of the full consultation responses reveals much more complex problems than was first realised. A number of major issues which had been simmering under the surface came to light. Some of the key ones are summarised in section 6.1 of the Consultation Report. It is clear that these issues are of such a level of concern that they must be resolved irrespective of any possible future designation. The Working Party agrees that the issues raised in the consultation are central to the future of the Mourne and they form a major part of this report.



4 | Responding to the Issues Raised

The Working Party acknowledges the strength of views on the matters raised in the consultation, and recognises that before any designation could be contemplated it would have to have local support, especially from those who own and manage the land.

From the responses received, this is not the case at present. There are real fears that designation as a national park would have adverse consequences. These include a return of landlordism, restricting the freedom to use land and property; that it would result in closing or deterring new businesses, impose unacceptable access requirements and restrictions on farming practices, and increase visitor numbers in places already under pressure, exacerbating erosion and other damage, and the problems of vandalism, arson, litter and dumping. It could make housing for local people even less affordable, and damage communities if the younger generation is unable to afford to live in the area. There is also a concern that a national park would bring additional bureaucracy, and especially not be truly local, in the sense that those who work, live in and maintain the area end up with little or no control over their own affairs.

The Working Party is unambiguous in its response to these concerns. It would not

support any course of action that would lead to these outcomes. It believes that these fears need to be addressed, and it should be made clear that in any designation and management proposals for the Mourne and Slieve Croob many things would not change.

Recommendation 1: *In any proposals for future designation and management, it should be made clear that:*

- *There is no proposal to add any compulsory purchase powers*
- *Any measures for improved access will be by negotiation and agreement, and with measures to remove landowners' liability*
- *Any change to farm practices will be voluntary, with compensation appropriate to the agreed change*
- *There will be support for the retention and appropriate development of existing and new industries and a diverse economy*

- *There will be full consultation on any proposed designation and management arrangements.*

Further, the Working Party believes that the concerns expressed through the public consultation should be acknowledged and addressed. These include:

- Protecting and enhancing the environment
- Preventing inappropriate development and offering design guidance
- Working with farmers and supporting the farming economy
- Addressing access issues, including resolving occupiers' liability, tackling damage to property, vandalism and improving policing
- Securing economic benefits by developing tourism but managing the impact of visitors, including traffic and infrastructure.
- Tackling the provision of affordable housing for local people

Each of these issues is now dealt with in turn. The views expressed on potential management arrangements and boundaries are set out in later sections of the report.

4.1 Protecting and Enhancing the Environment

Just less than half of all those who responded through the leaflet or e-mail and commented on the range of potential benefits or concerns they had about the national park proposal felt that it would provide enhanced protection of the area. This was the highest proportion of all such comments received. The aspects covered included securing the built, natural and cultural heritage, protecting local flora and fauna, and

stopping inappropriate developments being built. At the same time there was a significant level of concern that increased visitor numbers could damage the Mournes.

The Working Party agrees with this priority. The area is special, and continues to warrant protection and enhancement of its environment. There is no question of the outstanding landscape character that has warranted its AONB (Area of Outstanding Natural Beauty) designation. The area is also of international as well as regional importance in terms of nature conservation and biodiversity, recognised by its designations under European Community (EC) Directives and a further 6 ASSIs (Areas of Special Scientific Interest) and two National Nature Reserves. There are also Historic Parks and Gardens, and a wealth of built heritage, including Scheduled and State Care Monuments.

Recommendation 2: The area covered by the existing Mourne AONB and by the Consultation Boundary is, overall, of outstanding environmental quality and should be subject to strengthened special measures for protection, enhancement and support.

There are several specific aspects of environmental management of concern to Working Party members. Many of these are discussed in subsequent sections of the report on support for farming (recommendations 6-9), access (recommendations 10-12), managing visitors (recommendations 13-14) and affordable housing (recommendations 15-17). This section is particularly concerned with the land uses and developments which might be seen as damaging to the environment. The Working Party recognises that local people want to see sustainable development, that enhances economic and social wellbeing and is also environmentally responsible.

Recommendation 3: Planning policies for the area should aim to protect and enhance the quality of the environment, while at the same time supporting existing farming, other businesses and social activity, and diversifying the economy. Natural heritage resources of acknowledged importance should not be damaged, but in general the approach to planning policy should be one of guidance and enabling, rather than additional restrictions.

Contrary to the fears of some consultees, the Working Party considers that mineral extraction should continue inside any designation boundary. Mineral extraction is governed by legislation that applies throughout Northern Ireland, most recently the Planning Reform Order (Northern Ireland) 2006 which allows for a review of all planning permissions granted for mineral extraction. This review is expected to commence in Autumn 2007, and will be a recurring process with the aim of improving overall environmental standards of all sites. While some national parks have prevented mineral extraction within their boundaries, it continues in others and most if not all have mineral extraction strategies or policies.

Mineral extraction has a long tradition in the Mourne. While it would be desirable to not have stone stripping from fields, small scale quarries to supply stone should be acceptable. Sand extraction near the coast also contributes to the economic diversity of the area, and the impact of most sites on the wider landscape is modest. Some sites in beneficial use for caravans, where the lower ground and boundary hedges provide effective screening. Provided that environmental safeguards are met, there is no proposal to change normal planning and environmental controls to these developments.

Recommendation 4: Quarrying and sand extraction contribute to the economic diversity of the Mourne area. Subject to adequate environmental controls, and

provision for restoration and aftercare, these activities should be able to continue.

Given that the AONB was designated on grounds of the outstanding landscape, the appearance of the countryside, and of the settlements within it, is of special importance. Working Party members are aware of problems of dumping and litter throughout the area, particularly along the coast, where there is also natural and man-made erosion. There is a need for preventative and remedial work to eroded paths. Other problems identified range from unsightly illegal and temporary advertisements, to mobile phone and other communication masts, to the impact on landscapes of blocks of conifer plantations. It is also important to protect and enhance the built heritage. As part of the management planning for the area, it would be valuable to have both clear design guidance on a wide range of topics which impact on the landscape, and improved enforcement of existing regulations. It would be valuable if this was drawn up in partnership with key agencies in the area. This should include the local authorities, the Planning Service, and also the Forest Service, Northern Ireland Water and the Mourne Trustees (given the important land holdings all of these have in the Mourne), and consultation with farmers and local communities.



Such design guidance should take into account the protection and enhancement of key landscape features. As well as visual impacts there is an ongoing loss of biodiversity, due to a combination of naturally occurring factors

and human activity, and guidance should have regard for locally important habitats and species.

Recommendation 5: To safeguard and enhance the outstanding landscape quality of the Mourne, all interests (and particularly landowners) in the area should work together to devise guidelines for assessing the visual impact of a wide range of developments and land uses, and for the dissemination of good practice. This should not inhibit innovation, but should encourage the use of traditional materials and native species. It should also have regard for the protection and enhancement of biodiversity.

4.2 Working with Farmers and supporting the Farming Economy



The need to protect and enhance the environment is an underlying theme in all the Working Party's recommendations. At the same time, Working Party members recognise that achieving this priority has to be based on two factors. Firstly, the crucial importance of the owners and occupiers of land, in particular those who farm the area. It is they who care for the land, and have responsibility for its quality. Secondly, the maintenance of the environmental quality ultimately depends on the economic and social wellbeing of all who live and work in the area. Therefore, any proposals must also support the local community.

The consultation showed that apprehensions about potential national park designation are particularly high amongst farmers and landowners. There are particular concerns that designation would place new restrictions on farming practices, add to red tape and would lead to people accessing their land, imposing liability on the landholder, leaving rubbish behind and putting livestock at risk.

To deal with farming practices first (issues of access are discussed below), it is not proposed that there would be any new or compulsory restrictions. The Single Farm Payment (SFP) and Less Favoured Areas Scheme (LFACA) are determined by EU regulations, and would be unaffected by designation. The conditions under which farmers claim SFP, such as Cross Compliance and maintaining land in Good Agricultural and Environmental Condition (GAEC) are already in place. There are no plans for any changes, and if there were changes, they would apply to all of Northern Ireland. There are also existing MOSS agreements (Management of Special Sites) that EHS operates in the Mourne AONB. In future MOSS agreements in Northern Ireland will be used to pay landowners or occupiers to address management issues in ASSIs that are in an unfavourable condition.

The Working Party considers that the Environmentally Sensitive Areas (ESA) scheme has worked well, but members consider that payments are not high enough, and are coming out of the SFP. There is also an important principle here. If it is argued that national park designation would enhance the economy of the area, then at least some of the benefits should come to those who care for the assets that warrant the designation in the first place. Farmers are needed to look after the countryside. There is welcome support for this approach in the Department of Agriculture and Rural Development's (DARD) Rural Strategy 2007-2013, which acknowledges "farmers should be remunerated for delivering outcomes that the market alone will not provide. ... particular attention should focus on the more vulnerable or valuable habitats and areas of greatest potential environmental gain."

In the Mournes and Slieve Croob there is a need for additional funding to enable farming practices to continue, which are vital to manage the countryside, and for enhanced payments for certain works. In particular there is a need for higher payments to repair and maintain walls in the ESA area, and for payments to be extended to the whole area including on land classed as common land. There is concern about the stone walls which are a prominent and characteristic feature of much of the landscape; some are neglected and others have been replaced or supplemented with post and wire fences.

There is also a need for appropriate grazing on the High Mournes, where overgrazing is largely a thing of the past, and an enhanced level in some areas may be needed to manage the landscape and maintain biodiversity. Insufficient grazing and the growth of gorse also exacerbate fire hazards. Carefully managed grazing may be among the measures required to promote the recovery of previously overgrazed areas in the lower foothills and Western Mournes. In the SAC (Special Area of Conservation) within the Mourne Wall, monitoring is being put in place to ensure stocking levels are correct; in general scientific prescriptions are not yet available to confirm what stocking levels are needed.

DARD cannot pay for cross-compliance, and under cross-compliance rules, undergrazing must be avoided by using appropriate stocking or cutting management. The exception is where it is deemed necessary for environmental management, such as part of an agri-environment agreement, where grazing levels are set to maintain the biodiversity value of habitats and depend on the type of moorland present. Funding is also available for a planned heather moorland regeneration programme by burning or flailing. Similarly, the management and control of gorse to maintain and protect habitats may attract additional funding, and habitat management payments include an allowance to control scrub encroachment.

Recommendation 6: *Subject to complying with EU regulations, farmers should be eligible for additional payment where they voluntarily agree to undertake additional measures to protect and enhance environmental features of acknowledged importance.*



Recommendation 7: *Stone walls are a vital and unique feature of the landscape. There should be higher payments, applicable throughout the area and sufficient to ensure adequate maintenance and repair. This should include a funding programme for repairing traditional stone walls where the land is a shared grazing or in trustee grazing rights.*

Recommendation 8: *It is important to ensure that stocking levels on the mountains are appropriate to maintain and protect the habitat and its biodiversity, and there are measures to control the growth of common gorse. The design of agri-environment agreements need to be suitable and sufficiently funded to secure this objective.*

Support for the farming economy requires a clear understanding of how farming operates in the area. While members of the Working Party recognise that farmers might prefer to get a higher return for their food production, rather than for countryside management, they do not think this is realistic. However, there may be some scope for getting higher prices from branding with an identifiable source as a sign of environmental quality as well as landscape and cultural associations, which can add value to produce. There are other avenues open to add to farm income.

Most farms in the Mourne and Slieve Croob area are small. The vast majority of farming families already supplement their incomes with one or more members of the household in other jobs, whether full or part-time, self-employed or as employees. Such jobs may provide the mainstay of income to support the farming business and the environment. Support for the farming economy should acknowledge the importance of this way of life, and ensure that this mix of activity is able to continue. In addition, there is opportunity for farm diversification. In these situations, there may be varied needs for support ranging from help with childcare or looking after the elderly, through to assistance in dealing with applications for loans or grants, or demonstrating compliance with environmental requirements.

Various initiatives and support for farm diversification are offered by DARD. Current farm diversification in the Mourne falls into three categories: tourism projects, farming related and services. The tourism projects have included the development of bed and breakfast, self-catering, caravan parks and

tourist car parks. Other activities include pony trekking, golf, mountain boarding, and mountain bike hire. Farming related activities produce a wide range of products (not all directly connected with farming), and include potato processing and packaging, hydraulic hose manufacture and repair, ice cream manufacture, brewing, recycling and composting. Other activities include the use of natural stone in field boundaries and landscaping.

Recommendation 9: *There should be continuing support for farm diversification and farmers should be assisted to access advice and financial support, for example from the 2007-2013 Rural Development Programme. Agencies need to work together to ensure that blockages do not inhibit sound proposals.*

4.3 Access Issues

One of the dominant concerns highlighted during the consultation, particularly with farmers and landowners, was that the proposal would allow people to walk wherever they liked. Recreational usage could lead to pressure to open up access routes in places unsuitable for visitors and inconvenience or, at worst, put people at risk as well as obstructing farmers going about their necessary activities. The people who own or control land have the right to deny or allow access to it, except where it is crossed by a public right of way. They do not want to see access imposed (which they would see as a return to the days of landlords) by a local authority or by a National Park Authority if one is to come about in future, deciding who can have access and where. There is also a concern that an increased volume of visitors or tourists would leave rubbish behind, could leave gates open putting livestock and crops at risk, or damage fences and stone walls.

A topic that dominated the consultation and was raised many times was the issue of occupiers' liability. At present landowners believe that they are liable for any injury to anyone who enters their land. They have a strongly held fear of litigation, with the possibility of long, contentious and expensive claims, and having to bear the cost of liability insurance. They feel that the impact of the law is unclear and that explanations they have been given are unconvincing.

A smaller number of respondents said they want to see increased access to the Mournes for ramblers and other recreational users, though a few fear a national park would restrict access or activities such as camping.

The recently published Mourne AONB Access Study shows how limited the current public rights of way and permissive paths are. That there is considerable de facto access to the mountains is a tribute to the tolerance of landowners allowing people onto the land, and the responsible attitude of the majority of those who make use of this access. However there are difficulties, and resolving how to secure improved access that will be acceptable to all will be complex, far from easy, and will only be achieved at local level.

The Working Party places the resolution of the issue of Occupiers Liability very high on its agenda. Without this, it considers it would be impossible to secure support from local farmers and landowners for designation and difficult to get agreement to improved access arrangements.

The Occupiers' Liability Act (Northern Ireland) 1957 and the Occupiers' Liability (Northern Ireland) Order 1987 introduced the concept that an occupier owes a statutory duty of care to visitors and trespassers respectively. As the Access Study sets out very clearly, under current legislation the occupier of the land has a duty "to take such care as is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which they are invited or permitted by the occupier to be there". A duty of care, albeit restricted, also applies to trespassers; the duty of care does

not apply to anyone using a public right of way, where liability is determined under common law. The recent Government leaflet on Occupiers' Liability Law seeks to give assurance that in practice the law has worked to make it "very difficult for visitors or trespassers to successfully claim compensation for accidents which occur in the natural environment". The Working Party does not consider this sufficient.

The law of access is complex, and the only certainty which landowners perceive is that in a claim culture providing access puts them at a real risk. Landowners report that successful actions under both the 1957 and 1987 legislation have been brought against them, and have grave concerns that Government Offices have played down the risks to which they have been exposed in the past and are likely to be exposed increasingly in the future. The Working Party feels that landowners should not be exposed in this way.

As landowners and many users agree, anyone entering land for recreational purposes should do so at their own risk. There is a need for those exercising access to be given the opportunity to gain a better understanding of the rights and responsibilities attached to the ownership of land, to learn how their activities affect those who work the land, and to show respect to them. With that will come a greater awareness of their responsibilities as recreational users.

Recommendation 10: *To improve the prospect of securing support from local farmers and those responsible for the land for improved access arrangements, the question of occupiers' liability must be resolved. Landowners should not have liability to anyone who, whether as visitors or trespassers, accesses their land for recreation and injures themselves in the process. Nor should they have to bear, unaided, the costs of maintenance and repair for damage arising from public access. Resolution is likely to require measures to remove or cover liability; this may be through changes to legal liability, to access arrangements, or the provision of insurance.*

More generally, there is a need for both a more strategic approach, and active management, of access. This would include the development, by agreement and subject to the removal of liability burdens, of an improved path network in appropriate places. There is scope to explore the potential for more access agreements between landowners and the district councils, including permissive paths. Provision should be particularly encouraged in the lowlands, and especially on the coast, where agreed access routes could take pressure off the uplands. This issue should be approached with the utmost sensitivity, and avoid interference with farming operations in the heavily farmed lowland areas.

Recommendation 11: Existing path networks in the area are inadequate. The potential for developing paths should continue to be explored between the local authorities, landowners and occupiers. Routes and rights of access must not be imposed. There is a particular need, and potential, to develop a path network on the coast and on the lower lying land.

Active management of access depends on having a ranger and countryside officer service, well staffed with people who have local knowledge. The rangers should aim to secure more effective management of access, and their duties would include managing paths and visitors to avoid erosion, advising on access to unenclosed land with an eye to health and safety, and contributing to more effective policing. While much public access works satisfactorily with responsible users, there are risks to livestock, habitats and the built environment (especially stone walls) through carelessness, vandalism, litter and fires; there have been incidents in which farmers have been threatened. The service should build on the existing Mourne Heritage Trust ranger service; this works well but, with only one full-time ranger, is insufficient.

Where damage due to access requires attention, or improvement or maintenance work is needed – such as tackling the significant erosion on some of the paths to and in the

uplands - a sensible option may be to employ the landowner to carry out the necessary work. In addition, the countryside officers should complement the rangers by arranging for maintenance and improvement works on both private and public land.

Recommendation 12: Access to the Mournes needs improved management, maintenance, supervision and policing. A Mournes ranger and countryside officer service should be established, appropriately staffed with people who have local knowledge. They should be responsible for supervising access, providing information and educating people, undertaking maintenance and improvement works, and also working with other agencies to deter crime, vandalism, litter and fires.

4.4 Developing Tourism and Managing Visitors



Respondents' views on tourism were very mixed. On the one hand, a substantial number felt a national park would provide economic benefits, through attracting more tourists, creating tourist related jobs including farm diversification, and increasing expenditure in the area. It could also attract inward investment and provide opportunities for national park branding on local goods. On the other hand, many respondents

felt that increased visitors would have a detrimental impact. They argued that existing infrastructure is poor and neither roads nor hotels are adequate to cater for increased numbers, and more visitors could also damage the Mournes. They also thought existing jobs would be replaced by lower paid, seasonal tourism related jobs.

The study of "Potential Impacts of National Park Designation in Northern Ireland" confirms the legitimacy of both perspectives. Tourism brings both benefits and problems, and both are already familiar in the Mournes. The assessment of "Tourism in Mourne, Current and Potential Economic Impact" shows that the tourist industry will continue to grow in the Mourne AONB and in the surrounding Council areas, but that the growth would be enhanced with national park designation. The assessment is that there are currently about 2300 direct jobs dependent on tourism in the Mournes. By 2015 and 2020, these are forecast to rise to 2900 and 3200 with no National Park designation, and to 3700 and 5100 with designation as a national park.



The Working Party shares both the hopes and fears of those consulted. Members note that numbers of visitors are growing, and are expected to grow anyway, irrespective of designation. In their view what is needed is to ensure that mechanisms are put in place to secure sound management of visitors and their impacts and maximise the value of tourism to the local economy.

The key is to match facilities to the demand (including ensuring that facilities are open

when needed!). Successfully promoting tourism, both locally and internationally, depends on understanding what visitors want, and ensuring that there is capacity to meet their needs. A robust strategy will require targeting different types of visitors and providing a varied range of activities. Visitors have been coming to the Mournes for years to enjoy a wide range of activities, including sightseeing and visiting the many visitor attractions in addition to active recreation. There is a need to provide more tourist infrastructure, and to manage and disperse visitors. This applies to transport, parking, accommodation and visitor facilities (as well as access, discussed in the previous section).



In terms of transport, members of the Working Party identify a need for better and more innovative public transport (whether publicly or privately provided). There is potential to establish park and ride, and there would be merit in exploring the re-opening of the rail line to Newcastle, the most visited town in the area and the base for many tourists. A few locations are acting as 'honeypots', and unless they have the capacity for this role, this can accentuate congestion and environmental damage. Car parking is already inadequate, with cars parked for long distances on verges as soon as they are full. They lack sufficient facilities, such as toilets, and security; in some locations there is a high risk of vandalism or theft. Managed and private car parks may have better policing. Car parks should be carefully designed and sited, and of a scale appropriate to the location and activities they serve. There is a need for special provision for coaches.

Accommodation and facilities, too, require provision to match demand, and should cover the range of visitor needs. For example, wild camping only meets appropriate sanitation requirements if the conduct of campers is responsible; the alternative is to provide better camping facilities. There is also a need to consider facilities which visitors with cycles, motorbikes and quad-bikes can use. These each have their own specialised requirements, and in particular it is essential to avoid causing erosion or disturbing the peaceful enjoyment of others. As a result, identifying a location suitable for motorised activities and compatible with the quality of the area may prove difficult.

Visitor facilities should include activities which visitors will pay for. There is also a need for better interpretation and awareness raising about the environment which people visit. This includes how to enjoy the area, and not damage the environment, disturb others or interfere in the livelihoods of local people, and those who own and work the land. It is important to make information about what is on offer much more accessible and widely available: this too can not only enhance visitors' experience, but guide them in a way which contributes to a visitor management strategy.

***Recommendation 13:** Existing visitor numbers are overloading the infrastructure and capacity of the area. With visitor numbers expected to grow irrespective of any future designation, there is a need to ensure the provision of facilities adequate for the demand, and located to guide visitors to where there is capacity, or capacity can be provided. There is a particular need to improve car parking, sanitation facilities and transport.*

There is also considerable economic potential in the development of tourism, providing it is soundly managed. There is a case for investment of public funds to help stimulate and guide the market, including through targeted infrastructure, promotion, marketing and the role of branding. The Working Party considers that the delivery of improved

facilities, in accordance with recommendation 13, should involve private, public and social enterprise, and include these working in partnership. In the distribution of grants and loans, and other support measures, particular emphasis should be given to small scale and local enterprises in addition to the support given to larger facilities and outside investors. This is partly so that a higher proportion of visitor expenditure accrues locally, and partly because it is small businesses that have latent growth potential and most need of assistance.

***Recommendation 14:** Support for tourism and improvement of facilities should harness both private, public and social enterprise. It should also recognise the potential for developing small scale businesses and farm diversification, and should ensure that more support is available for these as well as for larger scale, prestige projects and activities.*

4.5 Affordable Housing



There is a significant worry from consultees that designation as a national park would lead to a dramatic increase in house prices making local housing beyond the reach of local young people. Increased house prices would bring increased rates. There is also concern that there would be an increased level of second homes in the area, and a consequential change in the socio-economic mix.

The research conducted by the Rural Development Council for the Working Party showed that house prices in the area, as in Northern Ireland generally, have been rising fast. Houses are also becoming rapidly less affordable, with a rapid decline in affordability for first time buyers in all three AONB districts, Banbridge, Down, and Newry and Mourne. This is happening without any change in designation and is a result of market forces, influenced by the location of the house and the desirability of the place to live. It is a significant problem across the UK.

The research also shows that designation as a national park is seen as conferring additional amenity status, and is likely to be associated with an increase in house prices in that area. However, the extent of this is not clear, or how much is due to the national park label and how much to the underlying quality of the area. Price rises will be an advantage to property owners wishing to sell, but a disadvantage to those wishing to move to, or stay in, the area, especially first time buyers. The impact on prices will depend on the extent to which the area is already seen as desirable as a place to live, or have a second home in. Many second homes in the Mourne are investments, rather than holiday homes, and may be available for rent.

The Working Party is concerned about both the availability of social housing for rent and that the affordability of homes to buy is already a problem in the Mourne and is likely to get worse. Some members feel that some outsiders who move to the area then commute may bring little benefit to the rural community, though others may set up businesses or work from home and seek to integrate. Priority in housing should be for local people to preserve family and community ties. There are a number of measures which can be taken, drawing on practice elsewhere, including experience from the Republic of Ireland and of national parks in England and Wales; arguably it is in the latter areas that the problem of affordable housing has been tackled more directly than elsewhere. These include:

- Requirements for developers to provide a proportion of affordable housing within developments over a certain size
- Restricting the sale of new homes to buyers who qualify as local, or applying local worker occupancy conditions
- Controlling the number of second and multiple homes being purchased
- Enhanced funding for social housing and support for local first time buyers.

Recommendation 15: *House prices have been rising significantly, and the planning policy for the Mourne and any integrated management of the area should make provision to secure provision of affordable housing for local people. It is important to ensure continuing provision for those who work on, and care for, the land or live and work in the area, and particularly for young people who wish to stay in the area.*

Another means of tackling affordability and ensuring people can remain in the area is to ensure that the supply of sites for additional housing is not over restricted. With the publication of the draft Planning Policy Statement 14 (PPS14) in March 2006, planning throughout the Northern Ireland countryside came under new development control policies, which removed the presumption in favour of development. The restrictions in place at the moment apply throughout Northern Ireland and are irrespective of any designation in the Mourne.

The Working Party is mindful that apart from the High Mourne, the area is a lived in landscape. Accordingly buildings should, and in many cases do, form a positive part of the landscape. However, there is concern that some recent dwellings are conspicuously bulky, or badly sited on their plots or finished with inappropriate design or materials. There is also concern over the numbers of new houses in some rural areas. Subject to devising design guidelines for housing in the countryside,

enforcing them in an intelligent way, and ensuring adequate and appropriate servicing (electricity and drainage etc), it should be possible to permit suitably sited and designed rural dwellings in appropriate areas to meet identified local housing need.

Members also note that there should be potential for further housing in local settlements, and for bringing into residential use the large number of derelict and vacant buildings in the Mourne, including traditional structures such as stone outhouses. The restoration and re-use of old buildings should be encouraged. Measures to achieve this could include planning policy that favours the re-use of buildings, grant assistance for traditional building restoration and enhancement of traditional building skills.

Recommendation 16: *Planning policies for housing in the Mourne should identify the environmental capacity of the landscape to absorb further development, then ensure that there is an adequate supply of land provided within settlements and that appropriate locations elsewhere are identified to enable the provision of small scale housing development to meet identified local housing need, subject to compliance with prevailing regional planning policy and design guidelines for housing in the Mourne countryside.*

Recommendation 17: *There is a large number of old, derelict and vacant buildings in the Mourne. There should be measures to encourage their renovation and restoration, bringing them back into use, particularly to increase the supply of affordable homes for local people.*





5 | Management Arrangements

5.1 Consultation Perspectives

As noted previously, throughout the consultation there was widespread concern about the lack of information about the exact nature of a national park in the Mourne and Slieve Croob. It proved difficult to consult on precise management arrangements for a potential national park in the absence of draft primary legislation, and at a time of political and administrative change.

However, there was much to be learned from the consultation responses and this enabled the Working Party to devise principles for the future management of the Mourne. These in turn may now be able to be taken into account in devising any future legislation.

Those who made representations saw two sides of the coin. On the one hand, there were those who thought that an authority would enable more effective management of the area, give local people a better say in how the area is managed, and be able to manage visitors better, including reducing the misuse of access to land. On the other side, there were two main concerns: that there should be local representation and accountability; and any authority should not be bureaucratic

and restrictive. It should also have adequate funding and enforcement powers for the activities it would undertake.

5.2 An Integrated Management Body

In the view of the Working Party members, it is important that there is a body with responsibility for management within the Mourne, a body which has the resources to manage visitors and the environment. Its role should include improving infrastructure for access and visitors, and providing an adequately staffed ranger service and other management and interpretation functions. It should also provide a one-stop shop for farmers and landowners, and local businesses, as well as for visitors, with a capacity to cut through bureaucracy and not add to it. Importantly, it should be able to offer advice to all kinds of businesses on sources of finance as well as having its own resources. Physically, it should have a centre, which would provide a headquarters for staff, information and exhibitions for visitors (and an opportunity to raise money from them), and an educational facilities role. Consideration should also be given to having a number of smaller centres,

not only to host ranger posts, but also to provide local access to facilities and services for both visitors and local rural communities.

Recommendation 18: *There is a strong case for a more integrated approach to the management of the Mourne area. A body should be established to do this with responsibility and resources to manage visitors and the environment, and provide a ranger service. It should also provide a one-stop-shop to farmers and other businesses looking for advice and support, but be conducted in such a way that it reduces, and does not add to, bureaucracy. Its headquarters should be a visitor information centre and have an educational role. This activity should build on the work undertaken by the Mourne Heritage Trust.*

5.3 Local Management

The Working Party members strongly agree with those consulted that local control of any management arrangements is imperative. This should extend into ownership of consultation processes, and issues of accountability and representation. Responsibility for management should rest with democratic representatives, landowners and occupiers, local communities, and those with relevant sectoral expertise. The clear majority should be people from the Mourne area.

On the one hand it is considered that the board should be as small as practicable in order to be a group of people with local roots who can be held accountable and not become a large bureaucracy. On the other hand it would need to be sufficiently large to get people involved and reflect the full range of interests and appropriate expertise. Based on the experience of the Working Party itself, this suggests that a board should comprise about 19 or 21 members (with an odd number to avoid tied votes).

To ensure clear local control, not less than 60% of members should be local, i.e. from the Mournes and Slieve Croob. This should include the local elected members of the Council(s), each to serve for the full term of their Council, though it is not intended that the body would be in any sense a Council sub-committee. The other members should be appointed to reflect the range of interests that are central to the protection, enhancement and enjoyment of the Mournes. To secure a degree of continuity, these appointments (and re-appointments) should be made when the Council members are at mid-term.

The selection of all members should be based on their expertise, knowledge, experience and competence of managing or contributing to the management of the area and its environment in the widest sense. Those from the locality should be complemented by members from wider interests not available through the local representation.

It is proposed that the members of the body would be appointed by the Minister, on the advice of relevant government departments and the local council(s), who would in turn consult the range of bodies reflected in the membership of the current Working Party. It is also proposed that the body should have a Chair and Vice-Chair elected by its members.

As well as local control, a central feature of the body would be to work in close partnership with the range of relevant organisations. This should aim to ensure co-ordination and commitment to an agreed management plan, and to securing funding, participation and delivery from all potential partners.

Recommendation 19: *Measures for the management of the Mourne area should be subject to local control. At least 60% of the Management Body should come from people from the Mournes and Slieve Croob. This should involve local elected members and local expertise reflecting the range of interests that are central to the protection, enhancement and enjoyment of the Mournes:*

this includes landowners, trustees and occupiers, farming, tourism and recreation, natural and built heritage, and business and community interests. This should be complemented by members of the Management Body reflecting wider interests not available through the local representation. The Management Body should establish partnership working with all relevant public, private and voluntary organisations.

This body should be responsible for oversight, through a management plan, of the policies and actions discussed elsewhere in this report.

Specifically, these should include:

- An agreed farm management strategy
- A strategic view on access provision (with local authorities responsible for delivery)
- A tourism strategy, suited to the resource base, and appropriate in scale
- A transportation strategy which is responsive to local people as well as visitors, with the aim of limiting vehicles coming into the area
- A strategy for the protection and enhancement of biodiversity encompassing farmed and non-farmed land, and accompanying measures to promote key habitats and species
- An agreed programme of measures to protect and enhance key landscape features
- Design guidelines for new developments, including the siting and design of new housing
- Guidance on, and support for, the reuse of traditional buildings and brownfield sites
- A programme of conservation and interpretation of the built and cultural heritage

- A policy position on housing provision, compatible with the area and its capacity
- Ensuring a strategy for affordable housing, especially to meet the needs of local and younger people, and with criteria for need well defined.

Together, these topics should provide a 'master plan' or joined-up strategy for the area which is founded on sustainable development of the area which meets social and economic needs at the same time as protecting the landscape and natural, built and cultural heritage of the area. The management body should carry out these activities alongside local government and all other agencies, within the framework to be provided by community planning, and in effect contributing to the community plan for the area. The essence of this activity should be that all parties talk to each other, and listen, co-ordinate and co-operate.

5.4 Area Management

In general, all policies including planning policies should be expected to vary across the area, reflecting the wide variation of environments, activity and experience across the area. The circumstances and needs of the High Mourne, Slieve Croob, the foothills, the farmed landscapes of the Kingdom of Mourne, the Kilkeel coast, the Newcastle valleys and the Tyrella coastal dunes all differ, and policies must reflect this.

This key part of the management plan should be devised by the management body working jointly with the farmers, landowners, tenants, DARD and EHS, and provide a forum for all stakeholders. It should address not only the needs and challenges faced by farmers and landowners, but also those faced by the environment in terms of landscape, nature conservation and biodiversity. It should set the framework locally for incentives and support for environmental stewardship and custodial work. The strategy should be able to identify and respond to both current and future

changes. It should look to the future, such as the end of the Single Farm Payment (SFP), and be comprehensive in scope. This means being sensitive to all aspects of the sustainability of farming ranging from grazing and reducing the risks of fire, through to the economic future of farming, and support for diversification, childcare, and housing.

Recommendation 20: *Any new management body for the Mournes and Slieve Croob should be responsible for producing a comprehensive management plan for the area. This should be produced, implemented and regularly reviewed with full and sensitive consultation, and in effective partnership, with all relevant interests.*

5.5 Land Use Planning



The consultation responses were divided on planning issues. Some wanted to see a proposal that would stop inappropriate developments being built in the area, while a significant number were concerned that there would be increased planning restrictions. In particular they felt that a National Park Authority would not allow farmers to build houses for their children, and would become involved in deciding on people's planning applications. Others simply questioned whether it would have power to restrict local planning.

The Working Party has been cautious about the extent of involvement in planning. In National Parks in the rest of the UK, planning powers are seen as a central and critical feature. The situation in the Mournes is different. Unlike the rest of the UK, for some years planning has been a central government function in Northern Ireland. The current Review of Public Administration proposes to transfer certain central government functions and powers to new district councils. The current proposals are that responsibility for regional planning policy (RDS and PPSs – the Regional Development Strategy and Planning Policy Statements) shall be retained by central government. However it is proposed that the new councils will have responsibility for developing area plans as well as development control functions – determining planning applications and enforcement – within the area. Then Minister, Lord Rooker, in late 2005 suggested that any National Park Authority would be given area planning powers, with development control resting with the new Councils.

With planning powers about to be devolved from central to local government, and concern about ensuring that the new system will operate in an impartial way, the Working Party members are reluctant to see any management body for the Mournes becoming embroiled in day to day planning administration and enforcement. They agree that development control and enforcement should rest with the new councils. On the Development Plan they see three options: that it should be prepared by the management body for the Mournes, that the management body should be a statutory consultee and make recommendations, or that it should be the responsibility of the Councils. While members had different preferences on this, the majority view was that the area plan should remain the responsibility of the new Council or Councils, but any management body must be consulted during its preparation.

Recommendation 21: *Responsibility for planning should rest with the new Councils or Council for the area. Any new management body for the Mourne area should be a*

statutory consultee for the area development plan and for planning applications.

5.6 Local Government Boundaries

If the Mourne and Slieve Croob were within one local authority, then the development plan would be part of the wider plan for the Council as a whole, even if part of the plan focussed on the management unit. If the area falls into two local authorities, then there should be a separate plan for the management unit; but it would be administratively problematic to prepare such a plan if the area were to be split across councils.

The Working Party recognises that in the current Review of Public Administration, many factors will be taken into account in reaching decisions on the boundaries for the new district councils. However from the perspective of making proposals for a management structure for the Mourne area, it could be much easier to secure an integrated approach, in particular over land use planning, if the area came within one of the new 'super councils', rather than straddling council boundaries as at present. This applies irrespective of any decision on national park status, or the refinement of boundaries discussed in the next section of this report.

Recommendation 22: The effective management of the Mourne area, the co-ordination of planning responsibilities with wider management, and securing clear lines of responsibility and accountability, would be greatly enhanced if the area came within one Council area.

5.7 Funding and Resources

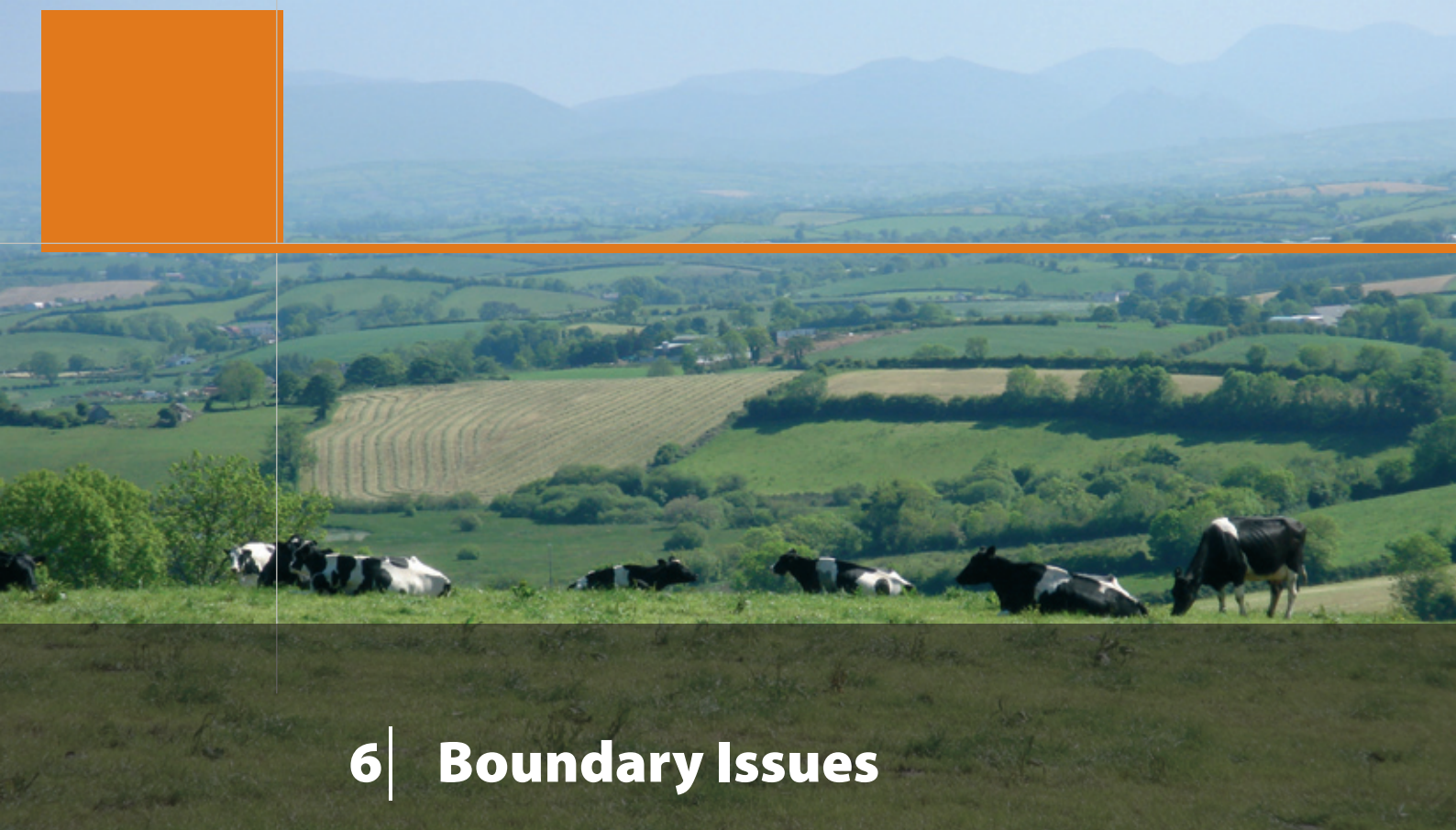
Without adequate funding, the proposals set out in this report would be useless. There are several aspects to this. The main categories identified by the Working Party are the provision of:

- Premises and running costs for the management body and its staff, including an adequately staffed ranger service.
- Additional funding to support farming practices, to pay for countryside management tasks and services, and to pay for or repair damage caused by visitors. There will also be a need to secure more funding for rural diversification, given the potential economic return, and the challenges faced by productive agriculture. This initiative should be co-ordinated with support from DARD.
- Tourism infrastructure, with grants or loans to improve facilities, with support targeted towards smaller enterprises as well as flagship developments. This support should come from the Northern Ireland Tourist Board, DARD or other public bodies.
- Roads and transport improvements, including community and visitor bus services, enhanced parking facilities, and a network of access routes.

Any new management body should be funded from central government, not from local authorities. As an established body, it should also expect to lever in significant extra money from other sources (i.e. additional to central government), such as the Heritage Lottery Fund or various European Initiatives. This should include securing support from European Structural Funds.

Recommendation 23: It is essential that all proposed activities to protect and enhance the Mourne – any designation, management structure, provision of ranger services, support for farming practices, countryside management, tourism and transport infrastructure – are fully costed and centrally funded. This funding should be additional, and not drawn from the limited funds at present available in Northern Ireland for the management of other areas of outstanding landscape value. In addition a new management body should aim to lever in money from other sources.





6 | Boundary Issues

6.1 Advice on a Proposed Boundary

The Department of the Environment, on behalf of the Working Party, appointed Alison Farmer Associates and Julie Martin Associates as consultants to advise on a possible boundary of a Mourne National Park. They were asked to assess the quality of the landscape of the existing AONB and adjoining areas, and present recommendations.

To identify the boundary, the consultants adopted the criteria suggested within the DOE discussion paper of October 2004 on options for establishing national parks and managing other outstanding landscapes in Northern Ireland. It was suggested that national parks should satisfy the following criteria:

Landscape and heritage:

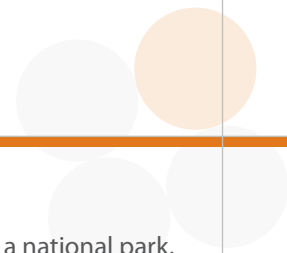
- Exhibit landscape qualities and natural and cultural heritage recognised as being of national importance;
- Exhibit a unique identity within Northern Ireland;

Enjoyment of the countryside:

- Offer opportunities for understanding, appreciation and enjoyment of the countryside;
- Offer substantial provision, or identified potential, for assured opportunities for countryside access and recreation;

Management and support:

- Have sufficient scale, administrative complexity and/or sufficient pressures (e.g. pressures of development, visitor management or land use change) to justify efforts and expenditure required to introduce and sustain the special integrated approaches to management associated with national parks; and
- Demonstrate substantial support for national park designation and management at local and Northern Ireland levels.



These criteria were then applied to the Mourne AONB and adjoining areas, using a sequential approach which gave primacy to landscape quality, and a proposed boundary was drawn up. It is this boundary which the Working Party consulted on. The boundary to a large extent overlaps with that of the AONB. The main differences are:

Areas excluded, but lying within the AONB:

- Annalong / Kilkeel Coastal Strip
- Warrenpoint / Narrow Water
- West of Hilltown
- Ballyward

Areas included, but lying outwith the AONB:

- Black Lough ASSI
- Shague Hill / Ballylough grasslands
- East of Dundrum Bay
- Ballykinlar / Tyrella Coast
- Scallion Hill
- Finnis (currently the AONB splits this small settlement)

6.2 Consultation Responses

Of the 2298 responses to the leaflet, 468 supported and 1147 opposed the boundary proposal. The majority of the written responses were also opposed. Overall, the conclusion is that the majority of those consulted did not support the proposed boundary.

There appear to be three main reasons for this. Clearly some of those opposed to any national park did not support any boundary proposal. Second, there were those, particularly some of the farmers' organisations, who felt that in view

of their serious concerns about a national park, defining a boundary was premature. Third were those who considered that the proposed boundary was wrong.

In the latter category, the one change more consistently advocated than any other was that the Kilkeel and Annalong coastal plain should be included. The arguments here relate to all aspects of the criteria: that it is an integral part of the Mourne, in terms of landscape, including geomorphology, and cultural heritage; that it is important both in terms of current and potential recreation and enjoyment; and its inclusion would enhance the integrated management of the area. There is, of course, the probability that some people might have reacted against it, had it been included.

Other concerns, each expressed by fewer people, might collectively be described as shifting the focus southwards. This includes those who would want Slieve Croob excluded, and others who wished to see the Ring of Gullion and Carlingford Lough included. One or two would extend this to the Cooley Mountains as a cross-border initiative. There were also suggestions that the boundary should be kept to the High Mourne, and another that it should replicate the AONB.

6.3 Consideration by the Working Party

The Working Party members' views echoed the range of views from the consultees. A few members agreed with those who had argued that defining a boundary was premature. However, most members felt they should express a view, as it was one of the matters which forms part of their remit and on which the public has been consulted. Nevertheless, the Working Party acknowledges that the boundary has been especially difficult to resolve in the absence of legislative proposals to which a 'National Park' boundary might

apply. As a consequence, its recommendations on this aspect are necessarily more tentative than on other matters raised.

Some members suggested that the area should be more extensive, with particular emphasis on including the Ring of Gullion, or even extending to the Cooley Mountains as a cross-border initiative. There was reference to the coherent geology and landscape of these areas. Others, particularly those most apprehensive about what a National Park might entail, wanted to restrict the area to which designation should apply, either on a piecemeal basis or, more radically, to the High Mourne alone. On balance, most members felt that the existing AONB boundary has served well and, with some of the adjustments proposed in the boundary report, should form the basis for going forward.

Members had a range of views on the inclusion of the Kilkeel and Annalong coastal strip, which they considered an important topic, but the opinion of most was that it should all be included. It forms an integral part of the Mourne landscape and cultural heritage, linking the sea to the mountains, and presents recreational opportunities to take pressure off more sensitive areas: it would be crucial to the effective management of the area. As previously reported, all were agreed that mineral extraction should be able to continue inside any boundary, and should not be used as a reason to exclude an area. The Working Party is also aware of the importance of fishing, particularly at Kilkeel, and is not seeking to include or affect fishing interests. Present designations are terrestrial and extend as far as the mean low water mark; the Working Party is making no proposal to change this.

Recommendation 24: Any change to existing designations should not exclude the Kilkeel and Annalong coastal plain.

Similarly, most – but not all – members considered that Slieve Croob should remain in the boundary. It has been integral to the AONB, and is important in landscape and geological

terms. It also has recreational use even though, as elsewhere, it is vital that this is managed in a way which does not conflict with the rural quality of life. Members also had a range of views on the inclusion of Warrenpoint and Narrow Water. On balance they considered that they should remain within the area, because of their tourist potential and links to the Ring of Gullion and potentially further south, but subject to supporting and not inhibiting the development of the harbour at Warrenpoint.

As with the consultees, there were some members who felt that the Ring of Gullion and the Cooley Mountains should be included. Overall members are aware of a variety of cross-border initiatives (including the proposed cross-border bridge) and the potential to extend the area to both west and south, and concluded that this warrants further exploration.

Recommendation 25: Any change to existing designations should not exclude Warrenpoint and Narrow Water, subject to supporting and not inhibiting the development of the harbour. There may be potential for extending the area of designation, and integrated management, to the south and west; this should be further explored.

After consideration, the majority of the Working Party decided to accept the boundary report recommendation to include a larger area round Dundrum, including all of Dundrum Bay and parts of the Lecale Coast AONB, but only as long as there is recognition of the importance of the productive farmland in this area. This decision illustrates the weight the Working Party attaches to its earlier recommendations about supporting, and not inhibiting, the rural and farming economy. The Working Party otherwise considers that the minor changes to the boundary in the northern and western parts of the AONB (on which the consultation responses are silent) are justified, subject to marginal adjustment to ensure that they are practical, i.e. do not split settlements or farms.

In summary, most members of the Working Party concluded that the proposed boundary, whether for a national park or for more effective management of the AONB, should be based on the proposed adjustments to the current AONB (i.e. the boundary on which the consultation took place), subject to the following changes:

- Inclusion of Annalong and Kilkeel and the coastal plain
- Inclusion of Warrenpoint and Narrow Water.

It should again be stressed that these recommendations on the boundary are necessarily provisional, and depend on the eventual primary legislation, and in particular on any boundary criteria included in that legislation.





7 | Way Forward

7.1 The Working Party's Position

The question of whether or not there should be a national park in the Mourne has become contentious and divisive. The local consultation response has shown perspectives from those who do not want a national park, those who have significant concerns, and those who see significant benefits and potential. The Working Party members have themselves reflected this range of views.

It is clear that the term "National Park" has sent the wrong signal to some. The word "national" has implications of state ownership, which is the case in many national parks in other countries, though never in the UK; while the word "park" can imply a place where recreation is dominant, rather than a working landscape. The use of the term "national" is intended as a declaration that the area is of national importance in landscape, environmental, cultural and heritage terms. This justifies the additional funding required for the area, and in particular financial support for the local population to enable them to maintain its special qualities for the nation. The impression given by the word "park" must be countered by an education process underway well before the declaration of any

National Park in Northern Ireland. However, the "National Park" title is important in other ways; it is a powerful national and international marketing tool for any area. As such it can be a powerful economic driver, not only for tourism, leisure and recreation but also when used in conjunction with the branding of local agricultural, fishing and craft niche products, by adding value to them. This cannot be ignored.

Discussion with those who do not want a national park has shown that they have real concerns. In response to these, the Working Party has not advocated, and would not support, a national park proposal that:

- Forced access, and associated liability risks and costs, on private landowners who did not wish it;
- Encouraged visitors in ways and to places where there is not the capacity in the environment or infrastructure for them;
- Required farmers to change their working practices without agreement and payment;
- Imposed new restrictions which force businesses to close or go elsewhere; and



- Involved compulsory purchase of land, or imposed any 'landlord' regime which intervenes in the rights of private landowners.

For the avoidance of doubt, the Working Party advocates that the future management of the Mournes takes place in a way which:

- Protects and enhances the natural, built and cultural environment and heritage, on which the quality of life in the Mournes depends
- Recognises that a major contribution to these qualities of the environment is dependent on the work undertaken by farmers and landowners, and sets out to support and enhance their activities
- Ensures that any improvements to access arrangements, or changes to farm practices, are secured only by agreement, with financial payment where costs are incurred
- Puts in place better provision for and management of visitors, so that they can access and enjoy the area without damaging the environment they come to see, or the livelihoods of those who live and work in the Mournes
- Sets out to secure the prosperity of the area, with a diverse and thriving economy in which farming, fishing, industry, tourism, recreation, health, sport and a range of services all have their part to play;
- Takes steps, in the face of rising house prices, to find ways to tackle the problem of affordable housing for local people to be able to remain in the area; and
- Seeks to preserve and enhance the community and social fabric of the area.

7.2 Next Steps

The Working Party was not asked to make a recommendation for or against a national park nor, in the absence of draft primary legislation, would it be able to do so. However, through the public consultation process, and careful detailed consideration of it, the Working Party believes that it has been able to reach a remarkable, and perhaps unexpected, degree of consensus on the problems and issues facing the area, and what needs to be done.

Consideration has been given to how to build on this consensus. To show good faith to those who have raised their concerns, it is important to take early action on the matters raised. Firstly, the Working Party considers that its recommendations should be a major input to any legislative proposals for National Parks in Northern Ireland. The Working Party and local communities having been asked to make their views known, should be able to see that these are clearly taken into account when legislation is in preparation.

Recommendation 26: The Recommendations set out in this Report should be taken into account and be clearly reflected in any future draft legislation on designated areas.

Secondly, many of the recommendations set out in this report concern matters which are current and require early action. The Working Party acknowledges that any proposal to create a national park must lie several years in the future. Many of the matters of concern will continue to deteriorate, and opportunities will be lost, in the meantime.

One step would be to reconsider the proposed strengthening of AONB legislation and powers outlined in the "National Parks and other Protected Landscape Areas" consultation document of October 2004. The suggested amendments to AONB legislation could provide a vehicle to implement the Working Party's recommendations. This could apply whether

pending the establishment of a Mourne National Park or, if it should be decided not to proceed with a national park, it could ensure that important measures on which agreement has been reached can be taken forward.

Recommendation 27: *Consideration should be given to reintroducing the legislative proposals for Areas of Outstanding Natural Beauty contained in the "National Parks and other Protected Landscape Areas" consultation report.*

There is also scope for considering to what extent more progress could be made within the existing legislative and institutional framework. In particular the recently completed Access Study is constructive in showing ways forward. That study too gives a high priority to resolving the issue of occupiers' liability (Access Study 2007, recommendation 10.2), and to improving access provision in a variety of ways (Recommendations 10.3 – 10.10). The Study also advocates an enhanced ranger service (recommendation 10.12). These are consistent with the Working Party's recommendations. They will require additional resources but, as the implementation section of the Access Study shows, already have a number of potential delivery options.

Recommendation 28: *The Working Party would strongly support provision of adequate resources to be able to secure early action and implementation of the recommendations in the "Mourne AONB Access Study 2007".*

Access is not the only topic on which early action is both needed and feasible. There is a need (and an opportunity) to develop and resource a robust tourism strategy for the Mournes which will address the growth of tourism and marketing, but also infrastructure requirements and visitor management issues. Work has already commenced on this, with participation by the Northern Ireland Tourist Board, the local councils and the Mourne

Heritage Trust. As with all the other topics, tourism needs to be developed, resourced and managed regardless of whether or not this area is designated a national park.

There is important on-going activity in many sectors, which can help deliver the Working Party's recommendations. The new Rural Development Programme 2007-2013, referred to at recommendation 9 in the context of support for farm diversification, will be an important vehicle for addressing some of the issues raised in this Report. Another example is the work underway on the Mourne Biodiversity Action Plan.

However, perhaps the key lesson from the work of the Working Party is the need for effective partnership working. This means developing mutual respect and trust, which in turn requires dialogue and communication. The experience of the Working Party is how easy it can be to erect barriers between people, and how difficult to then find ways to build bridges. The Working Party therefore commends its recommendations to all agencies with responsibilities in the Mournes and Slieve Croob area, and urges them to try to work together to build on the foundation which it has sought to lay.

Recommendation 29: *The Working Party looks to all agencies working in the Mournes and Slieve Croob to have regard for the recommendations set out in the report. This will require full participation by all interests in working together to find the common ground in resolving the problems and realising the potential of this outstanding and special area.*



This page: Mourne Heritage TRUST



ANNEX A

Membership of the Working Party

Members

Harvey Bicker

Chairman

Kevin Baird

Northern Ireland Tourist Board
(from 5 July 2007)

Mark Brennan

Northern Ireland Agricultural Producers
Association

Cllr Bill Corry

Down District Council
(from 2 Aug 2005)

Cllr Seamus Doyle

Banbridge District Council

John Fisher

Ulster Farmers Union
(from 6 Apr 2005)

Sean Fitzpatrick

Northern Ireland Agricultural Producers
Association

Cllr David Herron

Banbridge District Council
(from 2 Aug 2005)

Jim Jackson

Council for Nature Conservation & the
Countryside

Maureen Killen

Rural Community Network

Paddy McAteer

Ulster Society Protection of the Countryside

Sean McCarthy

Rural Community Network

Mike McClure

Sport NI
(from 29 March 2007)

Miceal McCoy

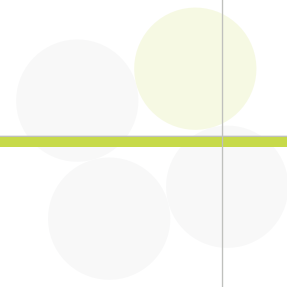
Federation of Small Business

Cllr Frank McDowell

Down District Council
(from 2 Aug 2005)

Dr Arthur Mitchell

Mourne Heritage Trust



Cllr Mick Murphy

Newry & Mourne District Council

Cllr Josephine O'Hare

Newry & Mourne District Council

William Parker

Mourne Trustees nominee
(from 17 May 2005)

Desmond Patterson

Ulster Farmers Union

Diane Ruddock

National Trust
(from 5 July 2007)

Jim Saunders

Northern Ireland Environment Link

Murtagh Walls

Mourne Trustees nominee
(from 17 May 2005)

The participation of members is recorded in the minutes of the Working Party; these may be found on the Working Party's website:

<http://www.mourneworkingparty.org/index/minutes.htm>

Former members:

Irene Adair

Northern Ireland Tourist Board

Reggie Annett

Ulster Farmers Union

Gerry Carson

Sport NI

Cllr Gerald Douglas

Down District Council

Cllr William John Martin

Banbridge District Council

Paul Mullan

National Trust

Geoff Nuttall

National Trust

Cllr Carmel O'Boyle

Down District Council

Observers

(and former Observers)

Susanna Allen

Environment and Heritage Service

Martin Carey

Mourne Heritage Trust

Richard Dalzell

Planning Environment Policy Group

Tony Donnelly

Planning Service

Camilla Fitzpatrick

Mourne Heritage Trust

Tony Gates

Mourne Heritage Trust

Dr Harry Gracey

Countryside Management Division, DARD

Liam Hannaway

Banbridge District Council

John McDermott

Rural Development Division

Colum McDaid

Environment and Heritage Service

Gerard McGivern

Newry & Mourne District Council

Sidney McKee

Water Service



Mary Moffatt

Planning Environment Policy Group

Peter Mullaney

Planning Service

Sharon O'Connor

Down District Council

Brigid O'Neill

Environment and Heritage Service

Richard Robinson

NI Tourist Board

Graham Seymour

Environment and Heritage Service

Kerrie Sweeney (n. Gregg)

NI Tourist Board

Secretary

Claire Kinhead

Environment and Heritage Service

Rosaleen O'Neill

Down District Council

Facilitator & Report Writer

Tim Birley

Facilitator for the Working Party
(from 9 May 2007)



ANNEX B

Meetings of the Working Party

Meetings

6 October 2004

1st meeting held in Newcastle

28 October 2004

2nd meeting held in Hilltown

23 November 2004

3rd meeting held in Warrenpoint

16 December 2004

4th meeting held in Killeel

12 January 2005

5th meeting held in Newcastle

10 February 2005

6th meeting held in Mayobridge

10 March 2005

7th meeting held in Castlewellan

6 April 2005

8th meeting held in Castlewellan

17 May 2005

9th meeting held in Castlewellan

15 - 16 June 2005

Members workshop held in Newcastle

2 August 2005

10th meeting held in Castlewellan

29 September 2005

11th meeting held in Castlewellan

8 November 2005

12th meeting held in Castlewellan

8 December 2005

13th meeting held in See-Connell

1 February 2006

14th meeting held in Castlewellan

1 March 2006

15th meeting held in Castlewellan

27 March 2006

16th meeting held in See-Connell

7 June 2006

17th meeting held in Castlewellan

24 August 2006

18th meeting held in Castlewellan

19 October 2006

19th meeting held in Castlewellan

1 September 2006 to 31 January 2007:

Public Consultation

29 March 2007

20th meeting held in Castlewellan

18 April 2007

21st meeting held in Castlewellan

9 May 2007

22nd meeting held in Castlewellan

9 June 2007

Members Workshop held in Banbridge

30 June 2007

Members Workshop held in Banbridge

5 July 2007

23rd meeting held in Castlewellan

16 August 2007

24th meeting held in Castlewellan

4 October 2006

Business and Tourism sector, Newcastle
(approx. 50)

11 October 2006

Leisure and Recreation sector, Newcastle
(approx. 50)

18 October 2006

Community Groups sector, Hilltown
(approx. 70)

24 October 2006

Environmental and Conservation sector, Kilkeel
(approx. 26)

25 January 2007

Public meeting, Newcastle
(approx. 350)

30 January 2007

Youth Event, Newcastle
(approx. 120)

In addition, there were 15 meetings with individuals and organisations at their request over the period 12 October 2006 to 24 January 2007. Overall, further meetings were held in See-Connell, Dundalk, Warrenpoint, Carlingford, Newcastle, Newry, Kilkeel, Annalong, Belfast, Castlewellan, Rostrevor and Hilltown.

Consultation Meetings (and number attending)

31 August 2006

Launch event, Newcastle
(over 60)

13 September 2006

Public meeting, Castlewellan
(approx. 150)

20 September 2006

Farming and Landowner sector, Kilkeel
(approx. 200)

21 September 2006

Farming and Landowner sector, Newcastle
(approx. 90)



ANNEX C

References

Documents produced by the Working Party

- MNPWP 2004 to date Minutes of Working Party meetings ⁺
- MNPWP 2005 Composite Response of Mourne National Park Working Party to Discussion Paper 11 February 2005 ⁺
- MNPWP 2005 **Mourne National Park Working Party: an introduction** November 2005 ^{*}
- MNPWP 2006 **Your Opportunity to Have Your Say: Proposal for a Mourne National Park** August 2006 ^{*}
- Judith Annett Countryside Consultancy and Peter Scott Planning Services Ltd 2006 **National Parks: Potential Impacts of National Park Designation in Northern Ireland** June 2006 ^{*}
- Nick Mack, Yvonne Loughry and Cathy McDonald 2006 **A Socio-Economic profile of the proposed Mournes National Park** Rural Development Council (RDC) Policy and Innovation Research Unit August 2006 ^{*}

Work commissioned by, or on behalf of, the Working Party

- Alison Farmer Associates and Julie Martin Associates 2005 **Mourne National Park Boundary Recommendations Final Report** October 2005 (also Proposed Mourne National Park Boundary Maps) ^{*}
- Inform Communications NI Limited 2007 **Report to the Mourne National Park Working Party on the Outcome of their Public Consultation 'Your Opportunity to have Your Say'** Prepared by the Facilitators of the Public Consultation 31 May 2007
- Environment and Heritage Service 2007 **Mourne National Park Public Consultation Issues Paper: Issues and concerns arising from the public consultation on the proposed National Park in Mourne** Prepared for the information of the Mourne National Park Working Party members by EHS in consultation with other government departments June 2007
- The Countryside Access and Activities Network for Northern Ireland (CAAN) 2007 **Mourne Area of Outstanding Natural**

Beauty Access Study commissioned by the Environment and Heritage Service (EHS) and the Department of the Environment (Planning and Environmental Policy Group) June 2007

Other work consulted

- Environmental Resources Management 2000 **Northern Ireland Landscape Character Assessment An Appreciation and Analysis of the Landscapes of the Region** Commissioned by the Environment and Heritage Service and the Planning Service, and published by the Department of the Environment Northern Ireland
- Europarc Consulting 2002 **Special Places need Special Care A report on designating AONBs of Northern Ireland as National Parks** September 2002 (available to the public on request to EHS)
- Environment and Heritage Service 2003 **Shared Horizons: Statement of Policy on Protected Landscapes in Northern Ireland** February 2003 *
- Environment and Heritage Service 2004 **A Mourne National Park?** *
- Environmental Policy Group, Department of the Environment (Northern Ireland) 2004 **National Parks and other Protected Landscape Areas: A discussion of options for establishing national parks and managing other outstanding landscapes in Northern Ireland** October 2004 *
- Mourne Farmers 2004 **Study Visit to the National Parks Snowdonia, Wales and Cairngorms, Scotland**, 18 October – 22 October 2004 Published with the assistance of the Mourne Heritage Trust. *
- Colin Buchanan and Partners Limited 2006 **Tourism in Mourne: Current and Potential Economic Impact** August 2006 *
- Department of Agriculture and Rural Development 2006 **DARD Rural Strategy 2007-2013** October 2006 accessible at: <http://www.dardni.gov.uk/dard-rural-strategy.doc>
- **Valuing Our Environment Partnership 2006 Valuing our Environment: Economic Impact of the National Parks of Wales** Countryside Council for Wales, Environment Agency Wales, Heritage Lottery Fund Wales, National Trust Wales, Welsh Assembly Government - DEIN October 2006 *
- GHK Consulting and the Countryside Consultancy 2007 **Valuing Our Environment: The Economic Impact of the Environment in Northern Ireland Study** commissioned by the Northern Ireland Green NGOs and the Environment & Heritage Service Summary Report April 2007
- Department of the Environment and Department of Finance and Personnel, Northern Ireland 2007 **Occupiers' Liability Law in the Context of Access to the Countryside in Northern Ireland: Information Leaflet** April 2007 *

Accessible on the Working Party website at:

* <http://www.mourneworkingparty.org/index/publications.htm>

or

+ <http://www.mourneworkingparty.org/index/minutes.htm>



ANNEX D

List of those who made Written Submissions

Working Party Organisations

- Ulster Farmers' Union
- Northern Ireland Environment Link
- Sports Council Northern Ireland
- Mourne Heritage Trust
- The National Trust
- Northern Ireland Tourist Board
- Northern Ireland Agricultural Producers' Association
- Newry & Mourne District Council
- Down District Council
- Banbridge District Council

Other Government

- Ards Borough Council
- Belfast City Council (Community & Recreation Department)
- Northern Ireland Fire and Rescue Service (Downpatrick)

Political

- Eddie McGrady MP (South Down)
- P J Bradley MLA (South Down)
- Caitríona Ruane MLA (South Down)
- Lord Dubs
- South Down Green Party

Landowners, Rural and Agricultural

- The Clanawhillian Shareholders and the other Mourne Trustee groups not listed below
- Mourne Sheepbreeders Association (MSBA)
- The Irish Uplands Forum
- Castlewellan Blackface Sheep Breeders
- Carmeen Estate Hilltown, Trustees
- Drumreagh Mountain Trustees
- Batts Estate
- Stang Trust Estate Trustees
- See-Connell Farmers Group
- Ulster Beekeepers Association (UBKA)
- Carlingford Lough Shore & Landowner's Association
- Trustees of Mourne Mountains West
- Trustees of Mourne Mountains Middle
- Lough Neagh and Lower Bann Advisory Committees
- The Landscape Institute Northern Ireland Branch
- Historic Monuments Council
- Ulster Wildlife Trust
- Ulster Architectural Heritage Society
- Council of the Europarc Federation
- Loughs Agency / Foyle, Carlingford and Irish Lights Commission

Recreation and Sport

- Mourne Rambling Group
- Mountaineering Council of Ireland
- The Countryside Access and Activities Network
- Mourne Motorcycle Club Ltd
- Ulster Federation of Rambling Clubs
- Tollymore Mountain Centre
- The Duke of Edinburgh's Award

Environment, Heritage and Conservation

- Mourne Geology and Archaeology Group (MGAG)
- Northern Ireland Protected Area Network (NIPAN)
- Causeway Coast & Glens Heritage Trust
- Forest of Belfast Steering Group
- Colin Glen Trust
- Earth Science 2000 (ES2k)

Business and Tourism

- Newcastle Chamber of Commerce
- Armagh Down Tourism Partnership
- Hastings Hotels Group
- Kilkeel Chamber of Commerce
- Newry Chamber of Commerce & Trade

- Mourné Sustainable Tourism Forum
- The Aquaculture Initiative
- Mourné Mineral Processors Group
- S D McMullan Architects

Community Organisations

- East Down Rural Community Network
- Newcastle 2000 Community Association
- Rostrevor District Community Association
- Regeneration of Mourné Area Ltd (ROMAL)
- Killeel Development Association
- Mourné & Slieve Croob Residents' Action Group

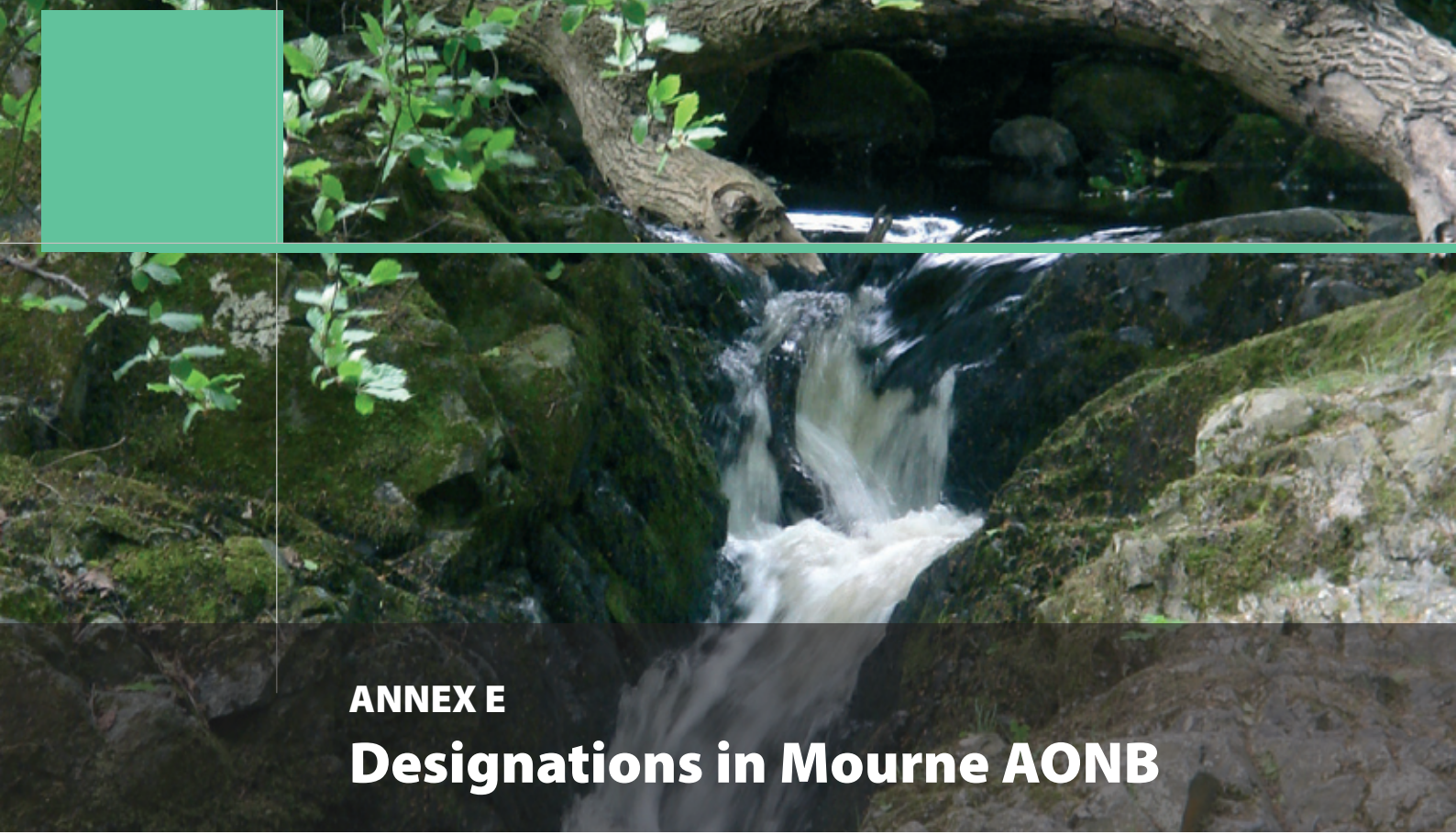
Personal Submissions

- J Brannigan
- Sally Caughley
- David Kirk
- Major John Potter
- Emma Rowan
- Paul Fegan
- Brian Law
- Kim Mooney
- Stephen Morgan
- Mary J Cunningham

- Claire Samways
- Rosalind Radcliffe

Petitions Received

- Tenants of Kilbroney Mountain
23 names in opposition to any proposed Mourné National Park
- Mourné and Slieve Croob Residents Group (submitted by Paul Fegan)
474 names in opposition to the proposed National Park
- Mourné and Slieve Croob Residents Group (submitted anonymously)
83 names in opposition to the proposed National Park



ANNEX E

Designations in Mourne AONB

Designated Sites

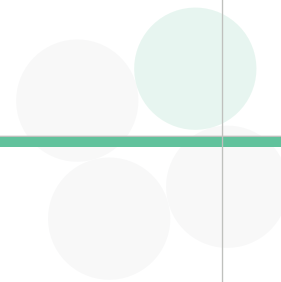
Table E1: International and National Designations

1965 – Mourne designated as AONB
 1986 – Mourne re-designated and boundary extended (57,000 ha)

Designated Sites	International / European	National
Mourne	ESA	AONB
Eastern Mournes	SAC	ASSI
Carlingford Lough	Ramsar; SPA	ASSI
Rostrevor Wood	SAC	ASSI; NNR;
Murlough	SAC	ASSI; NNR
Ballybannan		ASSI
Castlewellan Lake		ASSI

Key

- AONB** Area of Outstanding Natural Beauty
- ESA** Environmentally Sensitive Area
- Ramsar Site:** Designated in accordance with the Convention of Wetland of International Importance
- SAC:** Special Area of Conservation under the EC Habitats Directive
- SPA:** Special Protection Area under the EC Birds Directive
- ASSI** Area of Special Scientific Interest
- NNR** National Nature Reserve



In addition within the Mourne AONB:

- 35 sites are proposed as SLNCI (Sites of Local Nature Conservation Importance):

Altnadua Lough; Annalong River; Ardglass; Attical Moraine Complex; Ballylough Grasslands; Ballymagreehan Quarry; Ballymartin Moraine incorporating Ballyveagh Beg; Burren Lowlands incorporating Donaghaguy Reservoir (part); Carrickbawn; Carrickbawn Wood; Cassey Water; Castlewellan Lake; Drin Wood; Gargarry Fen; Ghann River; Glassdrumman; Gruggandoo; Kilbroney Park; Kilbroney River; Loughran's Lane; Moneycarragh River; Mourne Park incorporating White Water River and Cranfield Moraine; Mullartown Moraine; Narrow Water Forest; Rostrevor River; See-Connell; Shimna and Trassey rivers; Slieve Croob; Slievenaboley Road; Shague Hill; Spelga Dam & Spelga Dam Stream; South Down Coast; St. Pious Hill; Tullyree; and Western Mournes incorporating Rocky Mountain.
- 6 sites are designated Geological ASSIs:

Charley's Rock; Ben Crom; Bloody River; Diamond Rocks; Eagle Rock; and Murlough Complex
- There are 8 Registered Historic Parks and Gardens at:

Ballyward, Castlewellan, Tullymore, Mourne Park, Narrow Water Castle, Rostrevor House, Ballyedmond and Warrenpoint Park.
- There are 60 Scheduled and State Care monuments
- There are a further 414 historic monuments that are not yet statutorily protected but which fall within agri-environment schemes



ANNEX F

Recommendations

Recommendation 1:

In any proposals for future designation and management, it should be made clear that:

- There is no proposal to add any compulsory purchase powers
- Any measures for improved access will be by negotiation and agreement, and with measures to remove landowners' liability
- Any change to farm practices will be voluntary, with compensation appropriate to the agreed change
- There will be support for the retention and appropriate development of existing and new industries and a diverse economy
- There will be full consultation on any proposed designation and management arrangements.

Protecting & Enhancing the Environment

Recommendation 2:

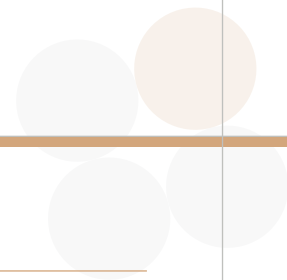
The area covered by the existing Mourne AONB and by the Consultation Boundary is, overall, of outstanding environmental quality and should be subject to strengthened special measures for protection, enhancement and support.

Recommendation 3:

Planning policies for the area should aim to protect and enhance the quality of the environment, while at the same time supporting existing farming, other businesses and social activity, and diversifying the economy. Natural heritage resources of acknowledged importance should not be damaged, but in general the approach to planning policy should be one of guidance and enabling, rather than additional restrictions.

Recommendation 4:

Quarrying and sand extraction contribute to the economic diversity of the Mourne area. Subject to adequate environmental controls, and provision for restoration and aftercare, these activities should be able to continue.



Access Issues

Recommendation 5:

To safeguard and enhance the outstanding landscape quality of the Mournes, all interests (and particularly landowners) in the area should work together to devise guidelines for assessing the visual impact of a wide range of developments and land uses, and for the dissemination of good practice. This should not inhibit innovation, but should encourage the use of traditional materials and native species. It should also have regard for the protection and enhancement of biodiversity.

Working with Farmers & Supporting the Farming Economy

Recommendation 6:

Subject to complying with EU regulations, farmers should be eligible for additional payment where they voluntarily agree to undertake additional measures to protect and enhance environmental features of acknowledged importance.

Recommendation 7:

Stone walls are a vital and unique feature of the landscape. There should be higher payments, applicable throughout the area and sufficient to ensure adequate maintenance and repair. This should include a funding programme for repairing traditional stone walls where the land is a shared grazing or in trustee grazing rights.

Recommendation 8:

It is important to ensure that stocking levels on the mountains are appropriate to maintain and protect the habitat and its biodiversity, and there are measures to control the growth of common gorse. The design of agri-environment agreements need to be suitable and sufficiently funded to secure this objective.

Recommendation 9:

There should be continuing support for farm diversification and farmers should be assisted to access advice and financial support, for example from the 2007-2013 Rural Development Programme. Agencies need to work together to ensure that blockages do not inhibit sound proposals.

Recommendation 10:

To improve the prospect of securing support from local farmers and those responsible for the land for improved access arrangements, the question of occupiers' liability must be resolved. Landowners should not have liability to anyone who, whether as visitors or trespassers, accesses their land for recreation and injures themselves in the process. Nor should they have to bear, unaided, the costs of maintenance and repair for damage arising from public access. Resolution is likely to require measures to remove or cover liability; this may be through changes to legal liability, to access arrangements, or the provision of insurance.

Recommendation 11:

Existing path networks in the area are inadequate. The potential for developing paths should continue to be explored between the local authorities, landowners and occupiers. Routes and rights of access must not be imposed. There is a particular need, and potential, to develop a path network on the coast and on the lower lying land.

Developing Tourism & Managing Visitors

Recommendation 12:

Access to the Mournes needs improved management, maintenance, supervision and policing. A Mournes ranger and countryside officer service should be established, appropriately staffed with people who have local knowledge. They should be responsible for supervising access, providing information and educating people, undertaking maintenance and improvement works, and also working with other agencies to deter crime, vandalism, litter and fires.

Recommendation 13:

Existing visitor numbers are overloading the infrastructure and capacity of the area. With visitor numbers expected to grow irrespective

of any future designation, there is a need to ensure the provision of facilities adequate for the demand, and located to guide visitors to where there is capacity, or capacity can be provided. There is a particular need to improve car parking, sanitation facilities and transport.

Recommendation 14:

Support for tourism and improvement of facilities should harness both private, public and social enterprise. It should also recognise the potential for developing small scale businesses and farm diversification, and should ensure that more support is available for these as well as for larger scale, prestige projects and activities.

Affordable Housing

Recommendation 15:

House prices have been rising significantly, and the planning policy for the Mournes and any integrated management of the area should make provision to secure provision of affordable housing for local people. It is important to ensure continuing provision for those who work on, and care for, the land or live and work in the area, and particularly for young people who wish to stay in the area.

Recommendation 16:

Planning policies for housing in the Mournes should identify the environmental capacity of the landscape to absorb further development, then ensure that there is an adequate supply of land provided within settlements and that appropriate locations elsewhere are identified to enable the provision of small scale housing development to meet identified local housing need, subject to compliance with prevailing regional planning policy and design guidelines for housing in the Mourne countryside.

Recommendation 17:

There is a large number of old, derelict and vacant buildings in the Mournes. There should be measures to encourage their renovation and restoration, bringing them back into use, particularly to increase the supply of affordable homes for local people.

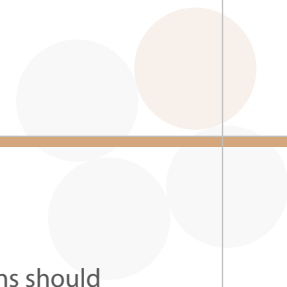
Management Arrangements

Recommendation 18:

There is a strong case for a more integrated approach to the management of the Mourne area. A body should be established to do this with responsibility and resources to manage visitors and the environment, and provide a ranger service. It should also provide a one-stop-shop to farmers and other businesses looking for advice and support, but be conducted in such a way that it reduces, and does not add to, bureaucracy. Its headquarters should be a visitor information centre and have an educational role. This activity should build on the work undertaken by the Mourne Heritage Trust.

Recommendation 19:

Measures for the management of the Mourne area should be subject to local control. At least 60% of the Management Body should come from people from the Mournes and Slieve Croob. This should involve local elected members and local expertise reflecting the range of interests that are central to the protection, enhancement and enjoyment of the Mournes: this includes landowners, trustees and occupiers, farming, tourism and recreation, natural and built heritage, and business and community interests. This should be complemented by members of the Management Body reflecting wider interests not available through the local representation. The Management Body should establish partnership working with all relevant public, private and voluntary organisations.



Recommendation 20:

Any new management body for the Mournes and Slieve Croob should be responsible for producing a comprehensive management plan for the area. This should be produced, implemented and regularly reviewed with full and sensitive consultation, and in effective partnership, with all relevant interests.

Recommendation 21:

Responsibility for planning should rest with the new Councils or Council for the area. Any new management body for the Mourne area should be a statutory consultee for the area development plan and for planning applications.

Recommendation 22:

The effective management of the Mourne area, the co-ordination of planning responsibilities with wider management, and securing clear lines of responsibility and accountability, would be greatly enhanced if the area came within one Council area.

Recommendation 23:

It is essential that all proposed activities to protect and enhance the Mournes – any designation, management structure, provision of ranger services, support for farming practices, countryside management, tourism and transport infrastructure – are fully costed and centrally funded. This funding should be additional, and not drawn from the limited funds at present available in Northern Ireland for the management of other areas of outstanding landscape value. In addition a new management body should aim to lever in money from other sources.

Boundary Issues

Recommendation 24:

Any change to existing designations should not exclude the Kilkeel and Annalong coastal plain.

Recommendation 25:

Any change to existing designations should not exclude Warrenpoint and Narrow Water, subject to supporting and not inhibiting the development of the harbour. There may be potential for extending the area of designation, and integrated management, to the south and west; this should be further explored.

Way Forward

Recommendation 26:

The Recommendations set out in this Report should be taken into account and be clearly reflected in any future draft legislation on designated areas.

Recommendation 27:

Consideration should be given to reintroducing the legislative proposals for Areas of Outstanding Natural Beauty contained in the “National Parks and other Protected Landscape Areas” consultation report.

Recommendation 28:

The Working Party would strongly support provision of adequate resources to be able to secure early action and implementation of the recommendations in the “Mourne AONB Access Study 2007”.

Recommendation 29:

The Working Party looks to all agencies working in the Mournes and Slieve Croob to have regard for the Recommendations set out in the Report. This will require full participation by all interests in working together to find the common ground in resolving the problems and realising the potential of this outstanding and special area.



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