



<b>Title of Report:</b>	<b>Permissive Path Agreement - Ballycarton</b>
<b>Committee Report Submitted To:</b>	The Leisure & Development Committee
<b>Date of Meeting:</b>	20 June 2023
<b>For Decision or For Information</b>	For Decision

<b>Linkage to Council Strategy (2019-23)</b>	
Strategic Theme	Protecting and Enhancing our Environments and Assets Resilient, Healthy and Engaging Communities
Outcome	Citizens will have access to our natural environments to help develop their physical, emotional and cognitive health.
Lead Officer	Head of Tourism & Recreation

<b>Budgetary Considerations</b>	
Cost of Proposal	n/a
Included in Current Year Estimates	<b>YES/NO</b>
Capital/Revenue	
Code	
Staffing Costs	

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>YES</b>
Legal Opinion Obtained	<b>NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## 1.0 Purpose of Report

The purpose of this report is to seek approval from Members to proceed with a **Permissive Path Agreement with respect to private lands leading from Ballycarton Wood linking to Binevenagh mountain.**

## 2.0 Background

Provision, development and access to quality walking opportunities throughout the Borough are important objectives for the Council's Tourism & Recreation Service. The Council manages and maintains many miles of coastal, rural and urban pathways which provide our citizens and visitors with access to our natural outdoor assets and promotes physical exercise and engagement with nature.

Whilst most of the Council managed walking experience is on Council owned land, some is jointly maintained with bodies such as the National Trust, Forest Service and in some cases through licence and management agreements with private landowners.

The Binevenagh and Coastal Lowlands Landscape Partnership is a five year £3.4 million [Heritage Lottery Funded](#) project with a vision to celebrate and connect local people with their unique landscape and heritage to build sustainable and resilient communities. Council is a significant supporting partner within the Landscape Partnership.

As part of this partnership a recreational audit of the Binevenagh area identified the opportunity to develop a long-distance trail from Ballycarton to Castlerock. A Trail Prescription Document was prepared specifically for a selected section of this longer distance trail from Ballycarton Wood to Binevenagh Nature Reserve.

This involved:

- Liaising with the landowners to identify concerns and ultimately obtain permission for access.
- Defining the exact route of the trail.
- Identifying and costing the works and infrastructure required to develop the trail.

A section of the route passes through land which is privately owned. In keeping with Council's approach to securing public access it would be appropriate to enter into a Permissive Path Agreement with the landowner. The path is 962 metres in length and 2 metres in width. **(Map attached in Annex A)**

## 3.0 Proposals

The provisions of The Recreation and Youth Service (Northern Ireland) Order 1986 allow Council to make use of Permissive Path Agreements to secure quality recreational access to private land. This has been used to great effect with respect to certain sections of the Causeway Coast Way and several other trails and sites of interest. A permissive path is not a Public Right of Way and can be provided with terms and conditions agreed by parties. It can operate under limitations and can endure for whatever period the council and landowner are willing to agree. Most agreements are for a period of 10 years or more.

Entering into a Permissive Path Agreement will secure quality access to one of the most identifiable landscapes in the Borough. In addition, this proposal offers a sustainable approach to providing access to Binevenagh. The development of this Permissive Path Agreement is required with the landowner and will secure continued access at this location for the public. Officers are recommending that the agreement with Council is for a period of 10 years, a term proposed with the landowner. As with similar agreements, Council will agree to undertake regular inspection of the trails and provide insurance cover to indemnify the landowner. If approved this will be advanced by the Tourism and Recreation team with assistance from Council's legal services.

The proposed route will have some surface dressing, stone pitching and appropriate trail furniture installed. These works are being funded through Binevenagh & Coastal Lowlands Landscape Partnership.

#### **4.0 Recommendation**

It is recommended that the Leisure and Development Committee recommends to Council the approval of a new Permissive Path Agreement between Council and the landowner, relating to the agreed lands at Ballycarton, for the period of 10 years.

# ANNEX A

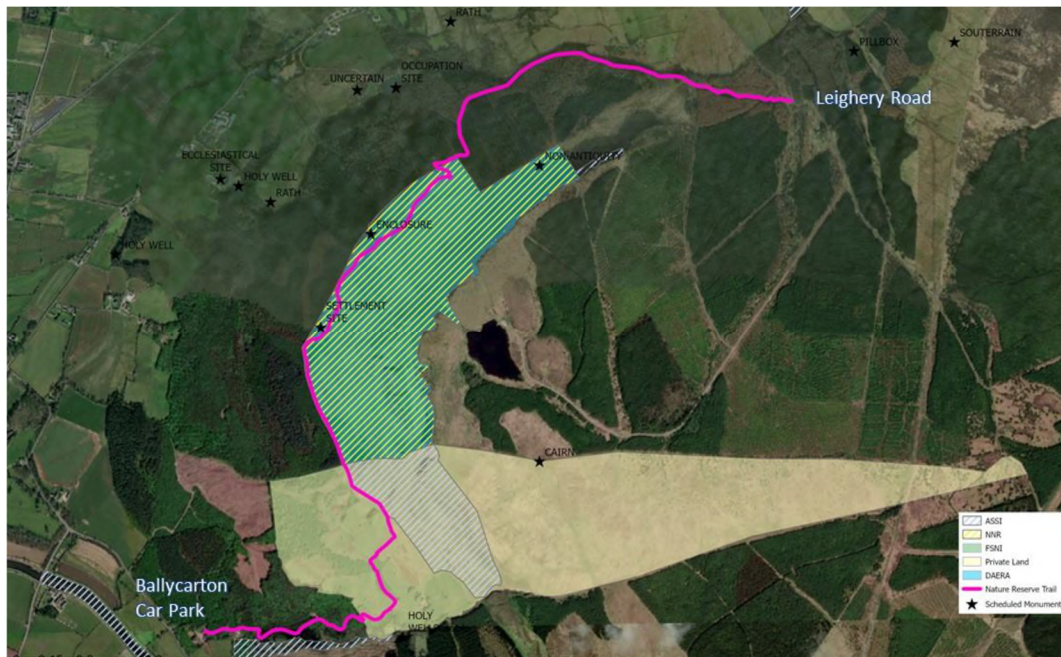


Fig. 4: Trail Works Map