

Written Ministerial Statement

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Agriculture and Rural Development

Public Right of Pedestrian Access to DARD Forestry Land and New Forestry Land By-laws

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**Mrs O'Neill (The Minister of Agriculture and
Rural Development):** Fáilte romhaimh.

I wish to advise Assembly members that from St Patrick's Day, 17 March, the public will be granted a public right of pedestrian access to DARD forestry land.

Section 31 of the Forestry Act (NI) 2010 provides, subject to byelaws, for public right of pedestrian access. The Forestry (2010 Act) (Commencement No.2) Order (NI) 2013 will bring this section into force, along with The Forestry Land Byelaws (NI) 2013.

There is much to enjoy. There are over 100 Forest Service properties that provide way-marked woodland walks. Pedestrians will have access to most of the 76,000ha of forestry land managed by the Forest Service. This land contains conifer and broadleaved plantations and natural woodlands and open space. Some of the lands are specially protected as nature reserves and historic landscapes, and the public right extends to most of these areas.

This is undoubtedly an important step under the Forestry Act (NI) 2010. The public right of pedestrian access encapsulates in law our Assembly's endorsement of our vision to promote the wider recreational and social use of the Department's forest lands. Public access to open space is a valuable resource, it gives us opportunities for tourism, for sport, it helps us to take exercise and look after our health,

and reminds us of our rural environment and heritage. The public right of pedestrian access will complement local government policies on recreation and access to the countryside.

The public right of pedestrian access applies only to DARD forestry land. This land is managed by the Forest Service. I wish to make it clear that privately owned woodlands are not affected by the Order and the Byelaws. Similarly, where the Forest Service occupies land under conditions which restrict public access agreed with the original landowner then the new legislation has no effect.

Understandably, the public right of pedestrian access will not extend to any building or structure on forestry land, or to any facility for which a charge is payable. It will also be subject to certain restrictions as set out in The Forestry Land Byelaws (NI) 2013.

When we consulted on the Byelaws in 2011 there was very significant public and cross-departmental interest, reflecting the wide use of forests for passive and active recreation, and the legal rights by third parties to use forestry land. The clear wish of many was that the form of the legislation should be simple, that the byelaws should not be drafted to cover every eventuality; and that DARD should recognise that visitors to forests are prepared to act responsibly, and to take responsibility for their own safety.

Of course, some limitations are needed, to allow the Department to intervene when people behave irresponsibly, to protect the forests from damage and disease, and to provide for public safety when forestry operations create a hazard for the public. However, I am now confident that these Byelaws strike an excellent balance between personal freedom and legal restrictions. I am grateful to the wide range of stakeholders who responded to our consultation

and who helped me achieve this balanced outcome.

The public will now be able to exercise their public right of pedestrian access day or night unless the forest is closed for one of the reasons allowed in the byelaws. Dogs must be kept under control, and in core recreational areas this will mean that they need to be kept on a lead. The Byelaws recognise that some behaviour is likely to create annoyance to other forest visitors, they provide examples of unacceptable behaviour, and they allow forestry officials to remove people whose behaviour is unacceptable.

We value our public forests and the opportunity they give for informal access to open countryside. This legislation is an important step in moving the permissive access to Forest Service lands and the first Forest Parks that we have enjoyed since the 1950's, to a legal right to be enjoyed responsibly by everybody. My Statement will be available on the DARD website in due course.

Go raibh mile maith agaibh.
