

Sustainable Tourism and Conservation Management: Mapping Policy



Image: An Cabhail Mhór, Kilnaboy, Co. Clare

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PART 1:

General Policy

1 Introduction

This mapping report aims to provide an overview of the current state of the policies which govern the various strands of activity in the Burren and wider area, both in a direct and indirect way, affecting the natural and built heritage, the environment and the tourism sectors respectively. The policies in operation can be as simple as those affecting day to day farming activities or can be as wide ranging so as to determine large scale infrastructural projects. It has become apparent that this is a complex and broad topic and there is a quantity of overlapping between sectors, with each group adapting policy to suits their own specific needs.

Aside from policy, there is also a large quantity of best practice in place to attempt to bridge any gaps which may arise from lack of policy. These documents tend to be more specific in nature and targeted to specific groups. In order to try and complete a fully comprehensive study, these guides are also considered in this mapping process. This report presents a wide (but not exhaustive) amount of information about policies, best practice, legislation and guidelines relating to cultural heritage, environment and tourism. Included in this initial stage there have been a number of interviews conducted with many of the project partners and key personnel in state agencies and the local community. This was to give an insight to how these policies play out during everyday life in the Burren and what the project partner's perspective is on how the policies impact their work. The interviews also added value in encouraging partners to consider the policies of other agencies.

A second stage in the project will attempt to look at these processes on the ground, identifying policy in action through cases studies and activities at the demonstration sites to identify key issues that will be addressed within the parameters of this project.

There is a clear link between legislation and the aims and targets agreed at world level through agreements such as the Rio Earth Summit and the Kyoto Protocol, which trickle through to eventually reach local level where they are played out in policy development and decision making.

1.1 The Global Context: World Heritage Convention

The role of the World Heritage Convention, under Article 5, is to ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory and the transmission to future generations of cultural and natural heritage of outstanding universal value. Each State Party to this Convention endeavours, in so far as possible, and as appropriate for each country, to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes. However, the text of the Convention, adopted in 1972, does not make any specific mention of the term "sustainable development" or of sustainability in general considering that this concept was only introduced in 1987 in *'Our Common Future'*(WCED, 1987). Subsequently, as the international community embraced the concept of sustainable development and the notion of sustainability entered the Operational Guidelines for the implementation of the Convention in 1994. In 2002 the World Heritage Committee adopted the so-called Budapest Declaration, defining its four strategic objectives, the four "Cs", which are

Credibility, Conservation, Capacity-building and Communication (with Community added as a fifth “C” in 2007 to enhance the role of communities in the implementation of the World Heritage Convention). The aim of this strategy is to “ensure an appropriate and equitable balance between conservation, sustainability and development, so that World Heritage properties can be protected through appropriate activities contributing to the social and economic development and the quality of life of our communities” (WHC, 2015).

In Ireland, the Department of Arts, Heritage and the Gaeltacht (DAHG) is the lead agency for the implementation of the World Heritage Convention along with the Office of Public Works whose role is to manage and conserve our World Heritage Sites.

The Burren is on Irelands Tentative List for World Heritage nomination.

2 European Policy

2.1 EU Policy on Culture and Heritage

Cultural heritage enriches the lives of citizens as well as being an important resource for economic growth and social cohesion, offering the potential to revitalise urban and rural areas and promote sustainable tourism. While policy in this area is primarily the responsibility of Member States, regional and local authorities, the European Union's role is to assist and complement the actions of the Member States in preserving and promoting Europe's cultural heritage through a number of policies and programmes. The European Commission is committed to addressing common challenges such as limits to the mobility of cultural professionals, barriers to finance and skills deficits (Supporting Cultural Heritage http://ec.europa.eu/culture/policy/culture-policies/cultural-heritage_en.htm).

2.1.1 The Valetta Convention

The position of archaeology in Europe changed fundamentally in the final two decades of the twentieth century. The adoption, at Malta, of the European Convention on the Protection of the Archaeological Heritage (Revised) – also known as the Valletta Convention or the Convention of Malta (Council of Europe 1992) – was a watershed moment in the development of European archaeology. The 1992 treaty aims to protect the European archaeological heritage

"as a source of European collective memory and as an instrument for historical and scientific study. All remains and objects and any other traces of humankind from past times are considered to be elements of the archaeological heritage. The archaeological heritage shall include structures, constructions, groups of buildings, developed sites, moveable objects, monuments of other kinds as well as their context, whether situated on land or under water." (COE, 1992). Ireland ratified the Valetta Convention in 1997.

The Valletta Convention defines a standard for the way in which European states should manage their archaeological heritage and also provides a frame of reference in this regard for countries outside Europe. It has placed archaeology – which used to be, in the main, an academic discipline – firmly in the world of spatial planning, contracting and public decision-making (Willems, 2007). The implementation of the Valletta Convention and its gradual incorporation into national legislation has had an important influence on archaeological heritage management in Europe. It has applied procedure for the authorisation and supervision of excavation and other archaeological activities through a legal system which protects the archaeological heritage. The Convention invites States to reconcile and combine the respective requirements of archaeology and development plans through planning policies that are designed to be well-balanced for the protection, conservation and enhancement of sites of archaeological interest while ensuring that there is sufficient time and resources for appropriate scientific studies. States are also encouraged to conduct educational campaigns to develop public awareness of the value of archaeological heritage.

The basic principle which underlies the Convention is that the archaeological heritage is seriously threatened by major planning schemes and that the need to protect the archaeological heritage should be reflected in town and country planning and cultural development policies. In light of this, a number of amendments were made to the National Monuments Act as a result of the adoption of this convention. These changes included the restriction of use of detection devices, the controlling of archaeological excavations and where possible the preference for preservation in-situ rather than excavation. A number of conditions relating to the granting of licenses both for excavation and survey related directly to articles contained within this convention. The Convention has also influenced the Planning and Development Acts 2000-2006 which requires that development plans include objectives for the protection of the archaeological heritage and conditions relating to archaeology to be attached to individual planning permissions with larger scale strategic development projects requiring and accompanying EIS. This is also to comply with the EIA Directive which requires that certain developments be assessed for likely environmental effects (commonly known as environmental impact assessment (EIA)) before planning permission can be granted. Also, those developments that are under the relevant EIS threshold may still be required to submit one if the planning authority consider it to have a significant effect on the environment. These pieces of national legislation will be looked at in more detail below.

2.1.2 European Landscape Convention

In 2002 Ireland ratified the European Landscape Convention – also known as the Florence Convention, which promotes the protection, management and planning of European landscapes and organises European co-operation on landscape issues. It is the first international treaty to be exclusively concerned with all dimensions of European landscape. The Convention came into force on 1 March 2004 and is part of the Council of Europe’s work on natural and cultural heritage, spatial planning and the environment. It applies to the entire territory of the ratified parties and relates to natural, urban and suburban areas, whether on land, water or sea. It therefore concerns not just remarkable landscapes but also ordinary everyday landscapes. The European Landscape Convention introduces the concept of “landscape quality objectives” into the protection, management and planning of geographical areas.

The general purpose of the Convention is to encourage public authorities to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes throughout Europe so as to maintain and improve landscape quality and bring the public, institutions and local and regional authorities to recognise the value and importance of landscape and to take part in related public decisions. The Convention demands a forward-looking attitude on the part of all those whose decisions affect the protection, management or planning of landscapes.

In each area of landscape the balance between these three types of activity will depend on the character of the area and the agreed objectives for its future landscape. Some areas may merit the strictest protection while at the other extreme there may be areas whose landscapes are severely damaged and need entirely reshaping. Most landscapes need a combination of the three modes of action, and some of them need some degree of intervention. In seeking the right balance between

protection, management and planning of a landscape, it should be remembered that the aim is not the preservation or "freezing" of the landscape at a particular point in its lengthy evolution. The aim instead should be to manage future changes in a way which recognises the great diversity and the quality of the landscapes that we inherit and which seek to preserve, or even enhance, that diversity and quality instead of allowing them to decline.

The European Landscape Convention has implications for many areas of official policy and official or private action, from the local to the European level. It is seen as being complementary to existing international legal instruments, such as:

- i. the Unesco Convention concerning the Protection of the World Cultural and Natural Heritage, (Paris, 16 November 1972);
- ii. the Council of Europe Convention on the Conservation of European Wildlife and Natural Habitats, (Bern, 19 September 1979);
- iii. the Council of Europe Convention for the Protection of the Architectural Heritage of Europe, (Granada, 3 October 1985);
- iv. the Council of Europe Convention for the Protection of the Archaeological Heritage (revised) (Valletta, 16 January 1992).

It is also seen to compliment international initiatives such as the Pan-European Biological and Landscape Diversity Strategy (Sofia, 25 October 1995). The European Landscape Convention should allow establishment of formal links where appropriate between the mechanisms of the Convention and these other instruments or initiatives. The European Landscape Convention leaves Parties the choice of means to be used within their internal legal arrangements to fulfil their obligations, as well as the legal, administrative, fiscal and financial arrangements of each country to implement the Convention.

2.1.3 The Faro Convention

Council of Europe Framework Convention on the Value of Cultural Heritage for Society (Faro 2005) arose from the desire of the Committee of Ministers to provide a framework of reference for heritage policies, particularly in the context of rights and responsibilities in this area and the positive benefits which can be drawn from the use of the heritage as cultural capital, with a view to underpinning existing Council of Europe instruments concerning more specific aspects of cultural heritage. A sound and all-embracing framework was judged necessary to ensure cultural heritage and culture in general their rightful place at the centre of a new vision for sustainable development. The Faro Convention complements the previous Conventions of Granada and Valetta by changing the way practitioners and others think about heritage. It aims to create a pan-European reality commonly referred to as 'a common European Heritage'. Signatories to the FARO Convention recognise the need to put people and human values at the centre of an enlarged and cross-disciplinary concept of cultural heritage; they recognise that every person has a right to engage with the cultural heritage of their choice; and are convinced of the need to involve everyone in society in the ongoing process of defining and managing cultural heritage. Although not all member States of

the Council of Europe have or will sign this Convention, it is nevertheless changing the way we all think about heritage, recognising that heritage should be inclusive not exclusive, and that the everyday and the ordinary has merit alongside the special and the iconic.

The Faro Convention is the most comprehensive and diverse international agreement on cultural heritage so far. The key objectives of the convention include strengthening the connection between cultural heritage, quality of life, identity and sustainable development in society. The convention emphasises cultural heritage as a resource, the diversity of cultural heritage and its significance as a resource for sustainable economic development.

2.1.4 Common Agricultural Policy and Rural Development

About half of the population of the EU lives in rural areas and farming is the principal economic activity in most of these rural areas. However, many farmers carry out additional activities, such as food processing and providing accommodation for tourists. This diversification of the rural economy is a source of strength which the EU supports and encourages through its rural development programmes. Without farming there would be little to keep many communities alive and hold them together. If farming were to disappear, in many areas there would be a problem of land abandonment. The CAP gives farmers financial assistance to ensure that they continue working the land and to create additional jobs through landscape preservation or cultural heritage projects and many other tasks directly or indirectly associated with farming and the rural economy.

The CAP's rural development programme will remain a significant driver of change and progress: it will continue to offer opportunities to farmers to improve their farms and, more generally, the countryside they live in. Now in operation for over 50 years, the CAP has evolved and undergone numerous reforms to adapt to the changing needs of farming and rural development. The principle aims of CAP were to improve agricultural productivity and ensure that EU farmers can make a reasonable living. This has now expanded to address challenges extending beyond food security such as climate change and the sustainable management of resources. Farming has shaped our environment and landscape over millennia and the biodiversity of the countryside habitat is critical for the sustainable development of the countryside. The EU's rural development policy helps the rural areas of the EU to meet the wide range of challenges and opportunities that face them in the 21st century – economic, environmental and social. Known as the “second pillar” of the Common Agricultural Policy (CAP), it has been improved for the period 2014-2020 through the process of wider CAP reform, via a number of legislative acts.

In order to fit into the Europe 2020 strategy and the overall CAP objectives, three main long-term strategic objectives can be identified for EU rural development policy:

- improving the competitiveness of agriculture;
- the sustainable management of natural resources and climate action; and
- a balanced territorial development of rural areas.

This Rural Development Policy is managed through Rural Development Programmes which have 6 priorities to consider:

1. Fostering knowledge transfer in agriculture, forestry and rural areas;
2. Enhancing the competitiveness of all types of agriculture and enhancing farm viability;
3. Promoting food chain organisation and risk management in agriculture;
4. Restoring, preserving and enhancing ecosystems dependent on agriculture and forestry;
5. Promoting resource efficiency and supporting the shift toward a low-carbon and climate-resilient economy in agriculture, food and forestry sectors; and
6. Promoting social inclusion, poverty reduction and economic development in rural areas.

Each RDP priority identifies specific areas of intervention (focus areas). RDP priorities and focus areas provide the basis for programming and rolling out the European Agricultural Fund for Rural Development (EAFRD) support to EU rural areas.

The LEADER Initiative, which became available in Ireland in 1992, was designed to aid the development of sustainable rural communities following the reforms of the Common Agricultural Policy. The LEADER element of the Rural Development Programme 2014-2020 (which focuses on Priority 6 above) will provide €250 million in financial resources to address poverty reduction, social inclusion and economic development of rural areas over the 2014-2020 programme period. LEADER is a community led approach to the delivery of rural development interventions that is supported by a Local Development Strategy (LDS) and implemented by interested groups of people at a local level called Local Action Groups (LAGs). The EU regulatory framework governing the programme requires each EU Member State to conduct an open and transparent selection process to select both the Local Development Strategies and the Local Action Group for each sub regional area. Ireland conducts a two stage process; the first stage is an Expressions of Interest (EOI) stage and the second stage invites successful entities from stage one to join in the design of a Local Development Strategy for their area. Local Development Strategies that reach the required standard will then be given an allocation from the overall allocation for their county, to support the implementation of the successful strategy. Article 33 (2) of EU Regulation 1303/2013 states that it is the responsibility of the Member State to “define criteria for the selection of community led local development strategies”.

2.1.5 Promoting Cultural Policy at European Level

The Commission, whose role in Heritage is based on Article 3.3 of the Lisbon Treaty, has developed a number of relevant policies and programmes as well as supporting and promoting policy collaboration between Member States and heritage stakeholders. The Commission is also committed to promoting cultural diversity, protecting cultural heritage, and supporting the contribution of cultural and creative industries to boosting growth and jobs across the EU, in line with the principles of the European Agenda for Culture.

In May 2014 EU Culture Ministers called for the "mainstreaming of cultural heritage in national and European policies", and "the development of a strategic approach to cultural heritage". Responding

to this call, in July 2014 the European Commission adopted a Communication: "Towards an integrated approach to cultural heritage for Europe" and a mapping report published in parallel with this, which presents a wide range of useful information about EU policies, legislation, programmes and funding opportunities relevant to cultural heritage.

The focus of the 2014 mapping report is on policies concerned with the preservation and promotion of European Heritage. A number of incentives are highlighted, most notably European Heritage Days, which have been organised since 1999 as a joint action of the European Union and the Council of Europe. The main aim of European Heritage Days is to promote awareness of our built, natural and cultural heritage and to promote Europe's common cultural heritage. Many countries extend beyond the single days initiative and in Ireland we celebrate European Heritage Days with a full week of events. This National Heritage Week takes place at the end of August each year and is coordinated by The Heritage Council with many national and hundreds of local community organisations participating by organising events throughout the country. There are over 1700 events nationally and many of these events are free with the aim of the programme to highlight the abundance of great work that is carried out in all communities in Ireland to preserve and promote our natural, built and cultural heritage. Another initiative highlighted is 'The European Heritage Label', designed to highlight heritage sites that celebrate and symbolise European history, ideals, and integration. Funding is also an important and relevant part of this programme with funds such as the European Regional Development Fund, the European Agricultural Fund for Rural Development and the 7th Framework Programme all feeding into Irelands National Strategies.

The Directorate General for Education and Culture, or DG EAC, is the branch of the European Commission charged with Education, Training, Youth, Sport, Languages, and Culture. In addition to these, the DG manages a variety of initiatives of the cultural and creative sector. DG EAC's activities over the past few years have mainly focused on the implementation of the European Agenda for Culture, now replaced with the new 2014-2020 Creative Europe programme. Within this programme there is a sub-programme to promote the culture sector, which will, among other things, work towards promoting cross-border cooperation and transnational policy cooperation. This programme provides a variety of opportunities for cultural sector organisations and professionals.

2.2 EU Policy on Environment

The most important legislation underpinning biodiversity and nature conservation in Ireland is the Wildlife Act, 1976 the Wildlife (Amendment) Act, 2000 and the European Union (Natural Habitats) Regulations, SI 94/1997.

The Wildlife Act, 1976 provided a good legislative base for nature conservation. The species protection provisions are quite comprehensive, however, the habitat/site protection measures in the 1976 Act were relatively weak, and were almost completely limited to measures which could be introduced in agreement with landowners. There was very limited power to ensure protection, even in the case of outstanding habitats or sites, where agreement of landowners was not forthcoming.

Nature conservation legislation was substantially enlarged and improved by the Wildlife (Amendment) Act, 2000 and the Birds and Natural Habitats Regulations.

This strengthening of the conservation of biodiversity in Ireland under EU law, is carried out under the following:

- Birds Directive [79/409/EEC as amended 2009/147/EC]
- Habitats Directive [92/43/EEC]
- Water Framework Directive [2000/60/EC]
- EIA Directive [85/337/EEC]

In 1997, the Habitats Directive was transposed into Irish national law and the relevant Regulations and this represented a fundamental shift in nature conservation policy and law. These Regulations were amended twice and then revised and consolidated into the European Communities (Birds and Natural Habitats) Regulations 2011, SI 477/2011.

2.2.1 The Birds Directive

Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (as amended), which was adopted unanimously by Member States in 1979, is the EU's oldest piece of nature legislation and one of the most important. It was a response to increasing concern about the declines in Europe's wild bird populations resulting from pollution, loss of habitats and unsustainable use. It was also in recognition that wild birds, many of which are migratory, are a shared heritage of the Member States and that their effective conservation required international co-operation.

The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species, especially through the establishment of a coherent network of Special Protection Areas (SPAs) comprising all the most suitable territories for these species. Since 1994 all SPAs form an integral part of the NATURA 2000 ecological network.

2.2.2 The Habitats Directive

The Habitats Directive (together with the Birds Directive) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. All in all the directive protects over 1.000 animals and plant species and over 200 so called "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European importance.

The Burren is internationally recognised for the uniqueness, wealth and diversity of its heritage. As a result, much of the Burren has been designated as part of the Natura 2000 Network under the EU

Habitats Directive. These areas contain a variety of priority habitats including limestone pavements, orchid-rich grasslands and turloughs.

2.2.3 NATURA 2000

Natura 2000 is the centrepiece of EU nature & biodiversity policy. It is an EU wide network of nature protection areas established under the 1992 Habitats Directive. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) designated by Member States under the Habitats Directive, and also incorporates Special Protection Areas (SPAs) which they designate under the 1979 Birds Directive.

NATURA 2000 sites comprise over ten per cent of the country. They are not a system of strict nature reserves where all human activities are excluded; While the network will certainly include nature reserves most of the land is likely to continue to be privately owned and the emphasis is on ensuring that future management is sustainable, both ecologically and economically. The establishment of this network of protected areas also fulfils a Community obligation under the UN Convention on Biological Diversity. Natura 2000 sites have management implications for farmers with sites on their land, as well as onerous planning restrictions.

The Natura 2000 network in Ireland is made up of European Sites which include:

- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- candidate Special Areas of Conservation (cSAC)
- proposed Special Protection Areas (pSPA).

SACs and SPAs are fully protected by law in Ireland from when the Minister gives notice of his intention to designate the sites. At present, all SACs are candidate SACs. Candidate and proposed sites are included as part of the Natura 2000 network. Indeed, potential SPAs enjoy protection from the time when they are identified as meriting consideration for designation. It should be noted that in some areas, SAC and SPA designations overlap.

2.2.4 Water Framework Directive

On 22 December 2000, the European Union passed a new piece of legislation, the Water Framework Directive (WFD), which established an original, integrated approach to the protection, improvement and sustainable use of rivers, lakes, estuaries, coastal waters and groundwater within Europe. It impacts on the management of water quality and water resources and affects conservation, fisheries, flood defence, planning and environmental monitoring. It requires us to control all impacts –physical, polluting or otherwise – on our water resource. The Directive requires that Member

States achieve 'good' ecological status for all waters by 2015 and they must also ensure that status does not deteriorate in any waters.

This Directive is unique in that, for the first time, it establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters and groundwater, and their dependent wildlife/habitats under one piece of environmental legislation. One advantage of the framework directive approach is the streamlining of legislation that will rationalise the Community's water legislation by replacing seven of the "first wave" directives. Specifically the WFD aims to:

- protect/enhance all waters (surface, ground and coastal waters)
- achieve "good status" for all waters by December 2015
- manage water bodies based on river basins (or catchments)
- involve the public
- streamline legislation

The WFD has been transposed into Irish law by means of the following main Regulations. These Regulations cover governance, the shape of the WFD characterisation, monitoring and status assessment programmes in terms of assigning responsibilities for the monitoring of different water categories, determining the quality elements and undertaking the characterisation and classification assessments.

- European Communities (Water Policy) Regulations, 2003 (S.I. No. 722 of 2003)
- European Communities Environmental Objectives (Surface Waters) Regulations, 2009 (S.I. No. 272 of 2009)
- European Communities Environmental Objectives (Groundwater) Regulations, 2010 (S.I. No. 9 of 2010)
- European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2010 (S.I. No. 610 of 2010)
- European Communities (Technical Specifications for the Chemical Analysis and Monitoring of Water Status) Regulations, 2011 (S.I. No. 489 of 2011)
- European Union (Water Policy) Regulations 2014 (S.I. No. 350 of 2014)

The Directive requires an integrated approach to managing water quality on a river basin basis with the aim of maintaining and improving water quality. The Directive requires that management plans be prepared on a river basin basis and specifies a structured approach to developing those plans. River Basin Management Plans are to be prepared and renewed in six year cycles and the first plans cover the period to 2015.

There are eight RBDs identified on the island of Ireland for the purpose of implementing the Directive; three of these are shared with Northern Ireland (Shannon, Neagh Bann, and North Western), four RBDs are wholly within the state (Eastern, South Eastern, South Western and Western) and one is wholly within Northern Ireland (North Eastern). Development of the river basin management plans has involved a coordinated effort across a wide range of organisations, including a high level of coordination with the authorities in Northern Ireland in relation to the cross-border RBDs. A key requirement of the Directive is public participation and a number of major public

consultations have contributed towards development of the plans. Consultations are currently under way for the second cycle of RBMPs. The RBMPs describe the main pressures and activities affecting water status, set out the environmental objectives to be achieved up to 2021 and identify the measures needed to achieve these objectives. Draft RBMPs will be published by December 2016 and the plans will be finalised by the end of 2017. Ireland is two years behind the timeframes stipulated in the WFD. Therefore, the second round of RBMPs in Ireland will be in place for 4 rather than 6 years and by the 3rd planning cycle we should be back in alignment with the WFD timeframe. This is a time for review of the initial cycle and changes to be made in relation to governance and structure to achieve better coordination and therefore results. It is generally accepted that top-down approaches do not work and there a move towards supporting Integrated Catchment Management (ICM), whereby policy, research and community action are brought together at local levels to develop a real, shared understanding of the challenges facing individual catchments in order to then agree specific actions and implement them. Part of this new governance model is a Water Policy Advisory Committee to advise the Minister on water policy issues relating to achieving the objectives of the WFD (DECLG, 2015).

The Water Framework Directive is also linked to a number of other EU directives in several ways. These include:

- Directives relating to the protection of biodiversity (Birds and Habitats Directives)
- Directives related to specific uses of waters (drinking water, bathing waters and urban waste water directives)
- Directives concerned with the regulation of activities undertaken in the environment (Industrial Emissions and Environmental Impact Assessment directives)
- Directives on topics such as Floods and the Marine Strategy Framework have significant linkages with the WFD which is also supplemented by the Priority Substances Directive and the Groundwater Directive
- The Nitrates Directive forms an integral part of the Water Framework Directive and is one of the key instruments in the protection of waters against agricultural pressures
- The Sustainable Use of Pesticides and the Sewage Sludge directives also provide for the control of materials applied to land.

Floods are a natural and inevitable part of life that pose a risk to human life and well-being, property and the environment. In Ireland, the Office of Public Works (OPW) is the Competent Authority for the implementation of the EU Floods Directive (see below). The National Flood Policy Review and the EU Floods Directive require a more proactive, sustainable flood risk management approach with an increased consideration of non-structural flood protection and flood impact mitigation measures. It is nonetheless foreseeable that conflict may arise between the objectives of flood risk management and the WFD.

The WFD requires an integrated approach (i.e. across all sectors including agriculture, industry, spatial policy etc.) to the sustainable management and protection of water resources. It impacts on, and is equally impacted by, a diverse range of environmental plans and regulations. Ensuring the integration of these plans is a particular challenge.

The ultimate objective of river basin management plans should be to achieve beneficial outcomes for the environment and for society in a manner that is consistent with long-term environmental goals and that is fair and cost-effective for society as a whole. However, the water sector has many external links and is affected by, amongst others, policies related to energy, agriculture, land-use, economic development and public finance. Coherence in policy goals can be undermined by conflicting objectives and coordination across water-related sectors is essential if strategic goals are to be met. Stakeholders must therefore be engaged with the process so that solutions can be found to deal with these areas of conflicting interest.

2.2.5 Environmental Impact Assessment

EIA Directive (85/337/EEC as amended by 97/11/EC and 2003/35/EC) requires that certain developments be assessed for likely environmental effects (commonly known as environmental impact assessment (EIA)) before planning permission can be granted. When submitting a planning application for such a development, the applicant must also submit an Environmental Impact Statement (EIS). Irish projects needing environmental impact assessment are listed in Schedule 5 of the Planning and Development Regulations 2001. In the case of development which is under the relevant EIA threshold, planning authorities may request an EIS where it considers that the proposed development is likely to have significant environmental effects.

The EIA Directive underwent a review process between 2009 and 2014 starting with a report by the Commission on its application and effectiveness, a public consultation and a conference which has all fed into the Commissions review process. As a result of the review process, in 2012 the Commission adopted a proposal for a new Directive to amend the current one. The intention of the was to lighten unnecessary administrative burdens and make it easier to assess potential impacts, without weakening existing environmental safeguards. The quality of the decision-making process was to be reinforced, current levels of environmental protection to be improved, and businesses should enjoy a more harmonised regulatory framework. The changes were forward looking, and emerging challenges that are important to the EU as a whole in areas like resource efficiency, climate change, biodiversity and disaster prevention would now be reflected in the assessment process.

On 12 March 2014 the European Parliament (EP) adopted its first reading position to the revised EIA Directive. New elements to be introduced in the EIA procedure include one-stop shop for assessments deriving from EIA and Nature Directives, quality control mechanism, mandatory assessment of reasonable alternatives, monitoring, broader scope of the EIA covering new issues (climate change, biodiversity, risks prevention), as well as justification of screening/EIA decisions.

The newly amended Environmental Impact Assessment (EIA) Directive (2014/52/EU) entered into force on 15 May 2014 to simplify the rules for assessing the potential effects of projects on the environment. It is in line with the drive for smarter regulation, so it reduces the administrative burden. It also improves the level of environmental protection, with a view to making business decisions on public and private investments more sound, more predictable and sustainable in the

longer term. Member States have to apply these rules as from 16 May 2017 at the latest. They also need to communicate to the Commission the national legislation adopted in order to comply with the Directive.

2.2.6 Strategic Environmental Assessment (SEA)

SEA is an important mechanism in promoting sustainable development and in raising awareness of significant environmental issues and in ensuring that such issues are addressed within the capacity of the planning and programming system. It is a more proactive approach than the EIA process and is designed to complement that process. The SEA seeks to inform the decision-making process before a decision is made to adopt the plan. The SEA Directive places a duty on Member States to '*monitor the significant environmental effects of the implementation of plans and programmes*' (Article 10(1))

The overall aim of SEA is to:

- Provide a high level of protection to the environment;
- To integrate environmental considerations into the preparation and adoption of Plans and Programmes;
- To promote sustainable development; and
- To increase public participation in environmental decision-making.

The European Community issued the Strategic Environmental Assessment (SEA) Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. This introduced the requirement that SEA be carried out on plans and programmes, including those of land use planning. Article 1 of the SEA Directive states:

"The objective of this directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment".

The SEA Directive was transposed into Irish Law in 2004 becoming operational on the 21st July 2004, through the following Regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, S.I. No. 435 of 2004, and the
- Planning and Development (Strategic Environmental Assessment) Regulations 2004, S.I. No. 436 of 2004.

An SEA is mandatory for plans/programmes which:

- are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use and which set the framework for future development consent of projects listed in the EIA Directive.
or
- have been determined to require an assessment under the Habitats Directive.

This assessment process is a key mechanism in promoting sustainable development; in raising awareness of significant environmental issues in County Clare and in ensuring that such issues are properly addressed within the capacity of the planning system. The SEA legislation and guidelines indicate that there should be complete integration between the preparation of the Plan, the SEA process and Habitats Directive Assessment (HDA). The SEA process ensured that the Plan was informed by environmental considerations from the outset.

The preparation of a County Development Plan (see below) requires a full Strategic Environmental Assessment. This statutory Environmental Report can be divided into a number of stages

- Screening
- Scoping
- Consultations with environmental authorities
- Scoping report
- Preparation of Environmental Report & Clare County Development Plan

This process involves a large amount of consultation with the various agencies within Ireland. The Environmental Protection Agency must be consulted (EPA), as should the Minister for the Environment Heritage and Local Government if the plan effects architectural or archaeological heritage or nature conservation. The Minister for Communications Energy and Natural Resources should be consulted if the plan might have significant effect on the fisheries or marine environment. Other non-statutory bodies, interested parties and Local Authorities may also be consulted as part of the process, providing a wide-ranging and well informed report. The SEA also needs to include assessment of Alternative Scenarios and Mitigation Measures.

The Directive applies across a wide range of sectors viz. agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism and land use planning. The requirement to carry out SEA of plans/programmes in the sectors mentioned above arises where they "set the framework for future development consent of projects" which are listed in the EIA Directive (85/337/EEC, as amended by Directive 97/11/EC).

Responsibility for implementation of the Directive within each sector rests primarily with the relevant Government Department.

2.2.7 Appropriate Assessment

The Appropriate Assessment (AA) requirements of the Habitats Directive in respect of plans and projects are similar in many respects to Environmental Impact Assessment (EIA) of projects, and

Strategic Environmental Assessment (SEA) of plans and programmes. However, the focus of AA is targeted specifically on Natura 2000 sites and their conservation objectives.

Appropriate Assessment is a process for assessment of the likely significant effects of every plan or project on the Natura 2000 network. Not only is every new plan or project captured by this requirement but each plan or project, when being considered for approval at any stage, must take into consideration the possible effects it may have in combination with other plans and projects when going through the process. Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made. They also determine the decisions that ultimately may be made in relation to approval or refusal of a plan or project. AA is not a prohibition on new development or activities but involves a case-by-case examination of the implications for the Natura 2000 site and its conservation objectives.

AA is a focused and detailed impact assessment of the implications of the plan or project, alone and in combination with other plans and projects, on the integrity of a Natura 2000 site in view of its conservation objectives. There is no prescribed method for undertaking AA, or form or content for reporting. No definition of the content or scope of AA is given in the Habitats Directive but the concept and approach are set out in Commission guidance (EC 2000, 2002, 2006). Case law has established that assessments should be undertaken on the basis of the best scientific evidence and methods. It comprises two main elements. The first element is the responsibility of the proponent of the plan or project which requires them to have the Natura Impact Statement (NIS) prepared for submission to the competent authority, i.e. the consent authority. Having satisfied itself that the Statement is complete and objective, the competent authority carries out the second element, the AA, on the basis of the Statement and any other necessary information.

The Commission's methodological guidance (EC, 2002) promotes a four-stage process to complete the AA, and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

1. Stage 1: Screening for Appropriate Assessment
2. Stage 2: Appropriate Assessment
3. Stage 3: Alternative Solutions
4. Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)/Derogation

Experience in defining and clarifying boundaries, procedures and concepts, and consequently law and policy in this area will undoubtedly evolve and change over time.

There are clear links and analogies between AA of plans and SEA. The focus of AA is on the impacts of a plan on the integrity of Natura 2000 sites and the Natura 2000 network. In contrast, SEA assists in formulating plan policies and objectives that provide for a more strategic level of protection of the environment. Nonetheless both SEA and AA contribute to the integration of environmental considerations in the adoption of a plan and promote sustainable development.

2.3 EU Policy on Tourism

Tourism is a major economic force whose development can have a fundamental impact on societies and the environment, both positive and negative. Many international declarations and guidelines have proved to be effective instruments for setting an agenda of what needs to be done in order to integrate sustainability into tourism policy to develop a sound and lasting industry. To support this, the United Nations Environment Programme together with the World Tourism Organisation conducted a two year programme and published a report in 2005, 'Making Tourism More Sustainable: A Guide for Policy Makers', which presents a comprehensive set of instruments for governments, ranging from planning regulations to economic instruments and the application of certification and indicators, and a set of 12 aims for sustainable tourism and their implications for policy. These aims are all given equal importance and relate to a combination of environmental, social and economic issues and impacts.

1. Economic viability
2. Local prosperity
3. Employment Quality
4. Social Equity
5. Visitor fulfilment
6. Local control
7. Community wellbeing
8. Cultural Richness
9. Physical integrity
10. Biological diversity
11. Resource efficiency
12. Environmental purity

The report also describes the collaborative structures and strategies that are needed at national and local level and identifies ways to influence the development and operation of tourism enterprises and the activities of tourists.

Movement towards these 12 aims of sustainable tourism is a well-established objective in Europe. Sustainable development has become a standard feature of the tourism industry, not just economical, but also cultural, environmental/eco-tourism and beach tourism. The European Commission refers to 'sustainability' as one of the 'four pillars of tourism development' (SURF, 2011), however, there is no universally acknowledged definition of what sustainable tourism actually is. Generally speaking, an unspoilt natural environment/landscape is a prerequisite for tourism into the future and it should be embedded in a sustainable, regionally-specific networking economy, with a focus on the people and local population.

All levels of political systems; regions, states and EU, and the source areas of the tourists, have to take responsibility for the effects and impacts of tourism in the respective destinations (SURF, 2011). While the Lisbon Treaty acknowledges the importance of tourism and the role of the EU in this field, article 195 specifies that the Union will 'compliment the action of the Member States in the tourism sector', therefore, the main competence still rests with the Member States who remain the principle

driving forces. However, when looking at national policies, while sustainability is mentioned as a key factor for tourism, a concrete strategy is lacking. Consequently, funds and subsidies, the biggest motivators for development, usually lack clear definitions of sustainable tourism (SURF, 2011).

The European Union provides a number of funds which can aid sustainable tourism and nature conservation, the interrelationship between which is extremely complex and dynamic. Successful integration of these two objectives is of increasing importance, requiring strategic planning. There are five European Structural and Investment (ESI) Funds which complement each other and seek to promote a growth and job based recovery in Europe. Three of these funds (ERDF, EAFRD, EMFF), together with other EU funds aid sustainable tourism and conservation in Ireland at the moment:

- The European Regional Development Fund (ERDF) supports more sustainable patterns of tourism to enhance cultural and natural heritage and to develop accessibility and mobility related infrastructure.
- The European Agricultural Fund for Rural Development (EAFRD) encourages tourist activities as part of diversification of the rural economy. It also provides support for improving the environment and the countryside.
- The European Maritime Fisheries Fund (EMFF) is the fund for the EU's maritime and fisheries policies for 2014-2020.
- 7th EU Framework Programme for Research, Technological Development and Demonstration and The Competitiveness and Innovation Framework Programme (CIP) are two other funds that may enhance sustainable tourism.
- LIFE is the EU's financial instrument supporting environmental and nature conservation projects throughout the EU. LIFE encourages many direct biodiversity projects and nature promotion activities which help to find compromise between tourism and conservation goals.
- The Structural Funds (ERDF and Cohesion Fund) can fund nature conservation activities, and if well designed can reduce visitor pressure on natural areas.

The aim of the EU regional policy is to promote coherent development within the EU and reduce gaps between the poor and rich regions within the Community area; however, this regional policy has paid little attention to issues related to nature conservation and biodiversity. Furthermore, the initiatives supported by Structural and Cohesion Funds have frequently been criticized for having negative impacts on biodiversity (WWF 2006). Although many Regional Competitiveness and Employment Programmes identify nature as an asset for development, little co-financing for biodiversity and nature protection is provided. However, some programmes support indirect nature protection measures such as sustainable use of cultural and natural areas as regional resource. As investments are primarily focused on income generation and promotion of new economic activities, nature conservation is mainly addressed through promotional or awareness activities.

All levels of the political system; regions, states and the EU, and the source areas of the tourists, have to take responsibility for the effects and impacts of tourism in the respective destinations (SURF, 2011).

3 National Policy

The Department of Arts, Heritage and the Gaeltacht is the government department which has, among other missions, responsibility to contribute to the economic, social and cultural progress of Irish society and the enrichment of its quality of life through promoting sustainable tourism; while facilitating greater access to and preservation of Ireland's cultural inheritance. It is led by the Minister for Arts, Heritage and the Gaeltacht who is assisted by two Ministers of State. In carrying out its mandate the department undertakes a variety of functions including the protection of Ireland's heritage and cultural assets and the provision of financial resources and appropriate policy framework within the various cultural institutions, while at the same time facilitating the continued development by the tourism industry of an economic and environmentally sustainable and spatially balanced tourism sector.

3.1 National Policy on Heritage

It has been the direct intent of legislation dealing with the physical environment that both public and private stakeholders must take responsibility for their element of the heritage and put conservation measures in place, and apply those measures to best effect. Since the 1990s, the planning process has become a central element in the protection of immovable tangible heritage. Local authorities have direct legislative responsibility for protecting the architectural heritage under the Planning and Development Acts 2000-2011, which recognises the importance of preventing damage to architectural heritage as a result of development or due to endangerment. The Department of Arts, Heritage and the Gaeltacht has direct legislative responsibility for protecting the archaeological and natural heritage, and for supporting the national cultural institutions, with which the Heritage Council has common ground.

3.1.1 National Monuments Service

The protection, preservation, conservation and presentation of Ireland's heritage and cultural assets are a major objective of the Department of Arts, Heritage and the Gaeltacht through the National Monuments Services section. A number of state bodies and agencies with responsibilities relating to various aspects of the Department's remit are funded from within the Department and it works with these bodies to ensure a co-ordinated approach to fulfilling the Department's mandate. The main cultural institutions involved are the National Museum of Ireland and the Heritage Council. The policy of the Department is to legislate for the protection of the country's heritage through the provision of the National Monuments Act 1930 (and amendments);

AN ACT TO MAKE PROVISION FOR THE PROTECTION AND PRESERVATION OF NATIONAL MONUMENTS AND FOR THE PRESERVATION OF ARCHAEOLOGICAL OBJECTS IN SAORSTÁT EIREANN AND TO MAKE PROVISION FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [26th February, 1930.]

This legislation dictates to a large extent the policies adapted by the National Monuments Service. At present monuments are protected by one of four ways, with each category providing a different level of protection. The four categories are; 1) It is recorded in the Record of Monuments and Places; 2) It is registered in the Register of Historic Monuments; 3) It is a national monument subject to a preservation order (or temporary preservation order); 4) It is a national monument in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht or a Local Authority. The enforcement of the legislation is the responsibility of the National Monuments Service of the Department of Arts, Heritage and Gaeltacht.

Specific policy on the Record of Monuments and Places:

It is the policy of the Minister for Arts, Heritage, Gaeltacht and the Islands that the Record of Monuments and Places will be updated so as to take account of future results of the Archaeological Survey of Ireland.

Specific policy on the Register of Historic Monuments:

Areas containing no known archaeological monuments may be included in the Register of Historic Monuments as archaeological areas if the Minister for Arts, Heritage, Gaeltacht and the Islands has reason to believe that such an area is of archaeological interest, including on the grounds of (i) its potential for containing archaeological monuments or objects, or (ii) its interest in respect of palaeo-environmental studies or (iii) its importance in respect of protecting the amenities of an archaeological monument.

Specific policy on preservation orders and temporary preservation orders:

While the Minister seeks the co-operation of all persons and bodies in protection of archaeological heritage, preservation orders and temporary preservation orders will be made whenever necessary to secure protection of national monuments of archaeological interest, such protection being in accordance with the provisions of the European Convention on the protection of the Archaeological Heritage and the policies set out in this document.

Amendments to the National Monuments Act in 1994 made further provision for the protection and preservation of archaeological objects and defined archaeological objects to include treasure trove. A further amendment in 2004 included provisions for the partial or complete destruction of National Monuments by the Government if such destruction is deemed to be in the "public interest". These provisions were included, according to press reports, to facilitate road schemes, and in particular the destruction of Carrickmines Castle, a National Monument, to build an intersection along the south-eastern section of the M50 motorway.

Inconsistencies caused by successive amendments to the National Monuments Act have required a review of policy and legislation. A new proposed bill would seek to eliminate many of the anomalies by:

- Creating a single register of monuments consolidating the RMP and RHS. This register would have two levels of protection; 1) a ministerial ‘consent’ and 2) a ‘notification’ level of protection
- It would impose a single consistent system for regulating archaeological works on private and infrastructural projects
- It would create a more efficient licensing system
- It would develop a new system for the identification, registration and conservation of historic landscapes and
- It would improve the recognition of and protection for archaeology under planning legislation.

3.1.2 Framework and Principles for the Protection of the Archaeological Heritage

The general policy mandate of the Department in relation to the protection of Irish archaeological heritage is set out in the document ‘Framework and Principles for the Protection of the Archaeological Heritage’ (1999). A set of broad policy principles is outlined in this document aimed at complimenting the National Monuments Acts and to encourage its fulfilment in protecting the archaeological heritage of the country;

- It emphasises the desire to avoid developmental impact on archaeological heritage and that the gathering of information should not destroy any more heritage than absolutely necessary
- It presumes the preference of in situ preservation of archaeological sites and monuments but that if excavation is necessary, then preservation by record be applied
- It addresses the topic of costs and encourages this to be a legitimate part of developmental costs
- Areas containing no known archaeological monuments, but where a monument is suspected, may be included in the Register of Historic Monuments as archaeological areas
- Preservation Orders and Temporary Preservation Orders will be made to secure the protection of monuments
- Underwater Heritage Orders, Licencing and Metal Detecting are also detailed in this policy document.

The Irish Framework and Principles is directly linked back to the 1992 European Convention on the Protection of the Archaeological Heritage (the ‘Valletta Convention’) which was ratified by Ireland in 1997. The aim of the Convention is to ‘protect the archaeological heritage as a source of the European collective memory and as an instrument for historical and scientific study’ (Article 1). Although now 15 years old, many of the policies set out in the 1999 document still apply today, and as no revision of this document or indeed alternative has been produced in recent years this policy document is the most widely referenced at present. It is heavily weighted towards infrastructural development and construction projects/site specific works and is not very well tailored to suit the

needs of the tourism sector as it fails to address the impacts of tourism on monuments and the archaeological landscape and the management of same.

3.1.3 The Heritage Council

The Heritage Council was established in 1995 as a statutory body under the Heritage Act 1995, with a Council (the Board of the Body) appointed by the Minister. Its functions as set out in the act are to propose policies and priorities for the identification, protection, preservation and enhancement of the national heritage, both cultural and natural (including, inter alia, monuments, archaeological objects, landscapes and wrecks). The ethos of the Heritage Council is to promote interest, education and knowledge and facilitate the appreciation and enjoyment of the national heritage. This is done through co-operation with public authorities, educational bodies and other organisations. It should be noted that the broad remit of the Act gives the Council a wide scope. For example, the Council can establish committees with specific functions allocated to them.

HERITAGE ACT, 1995

AN ACT TO PROMOTE PUBLIC INTEREST IN AND KNOW LEDGE, APPRECIATION AND PROTECTION OF THE NATIONAL HERITAGE, TO ESTABLISH A BODY TO BE KNOWN AS AN CHOMHAIRLE OIDHREACHTA, TO DEFINE ITS FUNCTIONS, TO PROVIDE FOR THE EXERCISE BY THE MINISTER FOR ARTS, CULTURE AND THE GAELTACHT OF FUNCTIONS IN RELATION TO THE NATIONAL HERITAGE AND TO PROVIDE FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [10th April, 1995]

One key advantage of the Heritage Council is its ability to address landscape issues. Until now, the national legislation and policy is focused on a site specific basis with an inability to deal with large areas or landscapes. The Heritage Council bridges this gap and while at developmental level it adheres to the same policy outlined above and legislative framework of the National Monuments Service, it has scope to take a more holistic approach.

The Heritage Council's role in relation to planning is to ensure that local, county, regional, national and trans-boundary planning policies, objectives and programmes include stipulations for the proper planning, conservation and management of our national heritage. To this end, and in accordance with the provisions set out by the Heritage Act, 1995, the Heritage Council provides policy advice to various levels of Government and prepares detailed submissions to Local Authorities and An Bord Pleanála in relation to planning applications which impact on heritage assets. It also provides professional planning and multi-disciplinary landscape management training.

The Heritage Council welcomes new innovative planning initiatives which will see evidence-based policy to ensure better spatial planning and heritage management of our rich and distinctive cultural landscapes including our cities, towns and villages (HC, 2015). The Councils update on the national planning programme will examine, among other things, the National Planning Policy Statement, 2015 and the emerging National Planning Framework (to replace the National Spatial Strategy).

One of the initiatives identified by the Heritage Council's review of Urban Archaeological Practice in Ireland (Lambrick and Spandl 2000, 88) was that a clear guidance leaflet should be produced to explain to developers how archaeology is dealt with through the planning system and National Monuments legislation. To contribute to this the Heritage Council in May 1999 commissioned the ICOMOS Consortium to develop, in partnership with all the appropriate agencies and interests, a set of guidelines to best practice for developers – *'ARCHAEOLOGY & DEVELOPMENT: GUIDELINES FOR GOOD PRACTICE FOR DEVELOPERS'*. These guidelines aim to produce a better understanding of the needs of archaeology in Ireland and to improve co-operation between developers (with their consultant archaeologists, architects, engineers and planners) and the statutory authorities in protecting the archaeological heritage, often saving both time and money through applying best procedure. They are intended to be complementary to the published policies of the Department on the protection of the archaeological heritage and help improve professional practice and procedures.

The ICOMOS guidelines and Schedule of Work Activities recommend that a qualified archaeologist should prepare an archaeological assessment for each development site in a zone of archaeological potential and in proximity to recorded monuments. The assessment should be made as part of the planning submission; very often it is either made a condition of planning approval for development in archaeologically sensitive areas in any case, or it may be requested as additional information after a planning submission has been lodged and before a planning decision. The concept of environmental impact assessment (EIA) is now established in Irish planning law; and it should be borne in mind that the EIA Regulations require the planning authority to require an environmental impact study (EIS) to accompany the planning application for any project, coming within a class of development listed in the EIA Regulations, where they consider that the development would be likely to have significant effects on the environment, in addition to those applications for which the Regulations make it mandatory in all cases. An archaeological assessment can conveniently be prepared in a format to suit the archaeological component of an EIS.

3.1.3.1 Heritage Officers

The Heritage Council operates at a local level through its 28 appointed Heritage Officers employed by the Local Authorities. County Heritage Officers provide a structured and co-ordinated approach to managing and promoting local heritage and have played an important role in Local Authorities since 1999. Heritage Officers ensure that heritage receives due consideration at local level and provide a valuable connection for the Heritage Council to local communities. They carry out strategic, operational, promotional, co-ordination and facilitation roles in both the Local Authority and in their county at large. Heritage Officers play a crucial role in drafting and implementing Heritage Plans for the County/City. These County Heritage Plans outline the policy and strategies being employed in a given area, which when successful can then be deployed at national level, for example the *'Guidance for the Care, Conservation & Recording of Historic Graveyard'*. This publication originated as a Heritage Plan Project under the Co. Waterford Heritage Plan, and was later developed into a National Guidance Document.

3.1.3.2 Field Monument Advisor Scheme

It is key when applying an effective policy that there is the ability to reach the people who are ‘hands on’ and directly responsible for the day to day care of our cultural heritage. While there are many state institutions whose role is for this purpose (as outlined above) it is a fact that the day to day management of our landscape in rural Ireland is in the hands of private landowners and farmers and it is these people that are largely responsible for the majority of archaeological sites.

The Heritage Council works in partnership with Local Government and the farming community to provide advice to farmers on the management of archaeological monuments on privately owned land on foot of survey results pointing to significant damage due to land reclamation and intensive agriculture. There are currently three Field Monuments Advisors in Ireland, with Clare County Council being one local authority which has employed a Field Monument Advisor under this scheme aimed at better preservation of our archaeological landscape. The Field Monuments Advisor in Clare deals primarily with the Burren and acts as an advisor to the farmers involved in the BFCP. The role of the advisor is to support landowners in the care of archaeological monuments in their ownership by providing information and contributing to training programmes aimed at farmers. They actively visit farms to assist with management issues surrounding the archaeological monuments on the land with the intention to increase the farmers’ interest and enthusiasm so that the care of the sites becomes part of the day-to-day farming process.

While the Field Advisor is working under the legislation of the National Monuments Acts 1930-2004, there is an attempt to be more flexible to work in the best interest of both the farmer and the Minister. It works on the premise of raising the awareness, not only of the monument itself, but also its context within a given landscape. The Field Monument Advisor is a very useful tool between the RMP and the landscape of rural Ireland with its farming caretakers. The Field Advisor is also capable of monitoring the status of Sites and Monuments on an ongoing basis within their area. These monuments can be under threat not only from agriculture, but also due to other factors such as climate change, erosion, weather events and flooding (Baker, 2013).

3.1.4 The Office of Public Works (OPW)

The Office of Public Works has responsibility for the day-to-day running of all National Monuments and National Historic Properties including some of Ireland’s most iconic sites such as Poulnabrone Dolmen, Co. Clare. The Office maintains and operates the country’s most important heritage sites with a duty to conserve as well as encourage the public to visit them. Some of these sites are staffed either on a full-time or seasonal basis while others are unmanned.

The OPW facilitate the millions of Irish and foreign tourists at these sites where they provide information about Ireland’s culture and heritage through guided tours, interpretive signs and printed literature. It carries out its heritage function through specialist units in the National Monuments Service and the National Historic Properties Service. As well as working with local groups and societies, the OPW also works with other official agencies and partners who have key roles in promoting Ireland’s heritage. These include:

- Department of Arts Heritage and the Gaeltacht
- Department of the Environment, Community and Local Government
- The Heritage Council
- Fáilte Ireland
- Local authorities
- Heritage officers

For internal operations, the OPW has adopted as its own is its Child Protection Policy which underpins its commitment to the safety and welfare of children and young people who engage with it and its services. It also devised a sustainability policy which centres on operations within the service focusing on environmental sustainability.

With regards to its work on the ground at the various heritage sites, the OPW works largely under existing policies and codes of practice of its partners. Since 2011 the OPW has operated an initiative called Free First Wednesday (which is linked to the notion of the EU Heritage Days initiative), which is a free access initiative to a number of OPW sites across the country which permits free entry on the first Wednesday of every month.

In its most recent published report (2012) the Minister at the time stated:

‘Heritage is a key component of OPW’s portfolio both intrinsically as custodian of Ireland’s cultural legacy and as a vital contributor to the socio-economic wellbeing of the state through tourism and regional development. Heritage sites are a major driver of national economic growth and employment through down-stream visitor demand for goods and services’ (Hayes, 2012).

A strategic review in the 2012 report outlines the key objectives on heritage management as:

1. To adopt a sustainable approach to the management and conservation of the states heritage sites with an emphasis on quality and standards
2. To present our heritage sites to the best advantage ensuring that their potential contribution to tourism is maximised and that visitor enjoyment and education experiences are enhanced.

3.1.4.1 OPW Flood Management

The Office of Public Works (OPW) is the lead State body for the coordination and implementation of Government policy on the management of flood risk in Ireland. The OPW is also the national authority for the implementation of the EU Directive on the Assessment and Management of Flood Risks [2007/60/EC].

In 2004, the Government, following a wide-ranging inter-departmental review of national flood risk management policy, approved the Report of the Flood Policy Review Group which recommended the appointment of the OPW as lead agency for delivery of flood risk management policy.

The OPW is also the national authority for the implementation of the EU Directive on the Assessment and Management of Flood Risks [2007/60/EC] which was transposed into Irish law by the EU (Assessment and Management of Flood Risks) Regulations SI 122 of 2010. The main objective of the Catchment-based Flood Risk Assessment and Management (CFRAM) Programme is to achieve the requirements of the EU 'Floods' Directive.

In 2009, functions and responsibilities in relation to coastal protection, i.e. coastal flooding and coastal erosion, transferred from the Department of Agriculture, Fisheries and Food to the OPW. The main roles for the OPW in this area are:

- Undertaking risk assessments associated with coastal flooding and coastal erosion and further developing the Irish Coastal Protection Strategy Study (ICPSS).
- Provision of an advisory service in relation to coastal flooding and coastal erosion to support the preparation of annual coastal protection funding programmes, the CFRAM programme, and to inform broader policy development.
- Maintenance of coastal protection schemes constructed under the Coast Protection Act, 1963.

3.2 Planning and Development

The Minister for the Environment, Community and Local Government is responsible for developing planning policy and legislation. The physical planning system in Ireland is operated on the ground by 88 local planning authorities: 29 County Councils, 5 County Borough Corporations, 5 Borough Corporations and 49 Town Councils. It should be noted that a new National Planning Framework is in preparation which would see a restructuring/streamlining of local government structures and reduce the number of planning and regional authorities to 31 planning authorities, 10 regional bodies and 3 regional assemblies. Forthcoming legislation will also see the establishment of the Office of the Planning Regulator. The improved policy around planning will see better engagement with the planning process from planning authorities, public bodies and others and also continued enhancement of the planning system in Ireland. This new Planning Policy Statement (2015) has been guided by a number of existing policy drivers: The National Landscape Strategy; the County Development Plans; Local Area Plans and Regional Planning Guidelines. The planning legislation:

“seeks to ensure in the interest of the common good for proper planning and sustainable development of urban and rural areas” (Planning Policy Statement, 2015)

The statements 10 key principles centre around the themes of sustainable development, travel resources, enhancing the environment and cultural heritage and the overall improvement of a sense of place. A new National Planning Framework will be developed to provide the context for national spatial planning for the next decade and beyond. It will:

- Identify national priorities with regard to future employment growth and development
- Distinguish between the role of the larger cities regional towns

- Establish a clear policy framework within which there will be more dynamic participation by rural areas in overall regional development

Planning authorities and those interacting with the planning process have had to address a wide range of new policy and legislative requirements such as:

- EU Directives
- Introduction of Core Strategies in the 2010 Planning and Development Act
- Flood risk assessment and management
- Regularisation of Quarries

As well as the Minister for the Environment, Community and Local Government, under the Planning and Development Regulations, any applications that might have a significant effect on either architectural heritage, archaeology and/or nature conservation, must also be referred to the Minister for Arts, Heritage and the Gaeltacht. The Planning and Licensing Unit of the National Monuments Service provides input and advice in relation to the protection of the archaeological heritage to planning and other authorities in respect of individual planning and other development applications, projects and plans.

The success of the planning process can be judged by the quality of the places that result. It should be judged by the extent to which it maintains and creates places where people wish to live work and spend time.

3.2.1 Planning and Development (Amendment) Act 2010

The planning process plays a significant role in promoting patterns of development which help Ireland meet its international obligations. The core principal objectives of the 2010 Act are to amend the Planning Acts of 2000 – 2009 with specific regard given to supporting economic renewal and sustainable development. The Act envisages a closer alignment of the National Spatial Strategy with Regional Planning Guidelines, Development Plans and Local Area Plans, while also clarifying the key obligations required of Planning Authorities under the Birds and Habitats Directives. The Act also aims to improve the performance of An Bord Pleanála and strengthen the enforcement controls of Planning Authorities.

The Heritage Councils national planning programme will examine, among other things, the National Planning Policy Statement, 2015 and the emerging National Planning Framework (to replace the National Spatial Strategy). The Council endorses the new innovative planning initiatives and evidence-based policy which will ensure better spatial planning and heritage management of our rich and distinctive cultural landscapes including our cities, towns and villages (HC, 2015).

3.2.2 Planning and Development Acts & Built Heritage

Under the Planning and Development Act 2000 the Minister for Arts, Heritage and the Gaeltacht is a statutory consultee in relation to developmental impacts on the archaeological heritage. This allows the Minister to recommend that archaeological conditions be attached to grants of planning permission, or recommend refusal of planning permission by the planning authority to ensure the protection of the archaeological heritage. The Environmental Impact Assessment process is central to the protection of the archaeological heritage in respect of large-scale development projects. The “Developer Pays” principle applies in relation to archaeological costs arising from a development. National Monuments Service provides expert advice from an archaeological perspective to planning and other relevant authorities in respect of individual planning, development applications and other projects and plans, making sure that every effort is made to ensure that developmental impacts on the archaeological heritage are mitigated. The Department has also put in place Codes of Practice with agencies (see below) involved in the delivery of large-scale infrastructural projects which by their nature can have significant archaeological implications.

Built heritage is protected through the Planning and Development Act 2000 (as amended) and also some older properties are also protected through archaeological legislation. The County Development Plan is a key document, as it not only includes the Record of Protected Structures and Architectural Conservation Areas but also includes objectives to ensure the conservation and enhancement of the architectural heritage through the planning process and specific objectives to protect the archaeological heritage. The built environment is a dynamic entity which may need to adjust to meet the needs of the current generation so the Architectural Heritage needs to be managed in a sensitive manner.

3.2.2.1 *International Influence on Planning and Development*

UNESCO’s Convention Concerning the Protection of the World Cultural and Natural Heritage was drawn up in 1972 and ratified by Ireland in 1991. This convention notes that the cultural and natural heritage is increasingly threatened with destruction. Each state party to the convention recognises that the duty of ensuring identification, protection, conservation, presentation and transmission to future generations of this heritage belongs primarily to that state. The Convention for the Protection of the Architectural Heritage of Europe, drawn up by the Council of Europe and signed at Granada in 1985, was ratified by Ireland in 1997. Commonly known as the Granada Convention, it provides the basis for our national commitment to the protection of the architectural heritage. The convention is a means of proclaiming conservation principles, including a definition of what is meant by architectural heritage such as monuments, groups of buildings and sites. It seeks to define a European standard of protection for architectural heritage and to create legal obligations that the signatories undertake to implement. It stresses the importance of ‘handing down to future generations a system of cultural references’. It relies for its effectiveness on its signatory countries implementing their own national protective regimes.

It is in the context of international initiatives such as the Granada Convention, as well as increasing awareness nationally, that Ireland has legislated for the increased protection of the architectural heritage. This wider acknowledgement of the need to conserve the built heritage recognises the social and economic benefits of conserving this part of our common inheritance and also the place of conservation in policies of sustainable development.

3.2.3 National Spatial Strategy/National Planning Framework

The National Spatial Strategy 2002-2020 (published on 28th November 2002) is a 20-year coherent national planning framework for Ireland. It aims to achieve a better balance of social, economic and physical development across Ireland, supported by more effective and integrated planning. The Minister for the Environment, Community and Local Government leads the Strategy's implementation. The commitment to prepare the NSS was included in the National Development Plan 2000 – 2006. This strategy is currently under review and it is anticipated that a new National Planning Framework will be drafted in 2015.

Sustainable development requires a combination of a dynamic economy with social inclusion, giving opportunities for all in a high quality environment. The National Spatial Strategy, through its focus on economic, social and environmental issues and on inter-linkages between them, is a key policy instrument in the pursuit of sustainable development (NSS 2002-2020, page 13).

The National Spatial Strategy set out broad policies to be adopted by regional and local bodies to address aspects such as urban/rural interdependency, strengthening the rural economy, communities and environmental quality. It identifies various types of rural areas and suggests policy responses as appropriate. Strong areas are identified in the South and East of the country where agriculture is strong but there is also the added stress of the pressure for development. The NSS supports farming, strengthens villages and small towns to make them attractive for residential and employment purposes and reduces urban sprawl. Areas identified as 'changing rural areas' in the NSS have seen a decrease in population and agriculture. Here, the NSS supports communities through diversification in enterprise, local services and tourism. Areas that have been classified as 'weak' or 'remote' occur mainly in western coastal parts, midlands and the islands. The policies for these areas aim to build rural communities through spatially targeted and integrated measures, development of new tourism resources such as inland waterways and enhancement of technology in an attempt to overcome distance barriers. Finally, there is the 'Culturally Distinct Area' which includes parts of the west, the Gaeltacht and areas which have distinctive cultural heritage. The policies suggested in the NSS for these areas enhance accessibility, strengthen existing settlements and conserve cultural identity.

Under the National Spatial Strategy classification system, the Burren is seen to fall under two different types of rural areas; it is a culturally distinct area while at the same time being a changing area where agriculture and environment are under increasing stress. The NSS recommends policy to be developed for the success of established tourism areas to manage and sustain the natural and

cultural heritage. The development and implementation of this policy is intended to be at regional, local and area specific level, with strategies and agendas tailored to suit specific needs.

Within the National Spatial Strategy County Clare is identified as being within the Mid-West Region comprising County Clare, County Tipperary North and Limerick City and County. The National Spatial Strategy presents key concepts as the tools implementing the strategy. These concepts are potential, critical mass, gateways, hubs, complementary roles and linkages. Implementation of the National Spatial Strategy in County Clare is through regional planning guidelines and the preparation of integrated spatial planning frameworks. The Mid-West Regional Planning Guidelines (RPG) implement the aims and objectives of the National Spatial Strategy in the region. This regional aspect of the NSS is discussed further below.

In addressing spatial issues for the island of Ireland as a whole and strengthening cross-border co-operation, the NSS acknowledges the importance of Shaping Our Future, the Regional Development Strategy for Northern Ireland. The NSS in the South and the Regional Development Strategy in the North are becoming more embedded in policy-making on both sides of the border. A framework of collaboration on spatial policy between North and South is being progressed in order to create enhanced, globally competitive and dynamic economic conditions on the island of Ireland by providing strategic, forward-looking planning frameworks which will assist in targeting appropriate investment in infrastructure and lead to better co-ordination of public services improving the quality of life on both sides of the border.

3.2.4 The Role of An Taisce

An Taisce has had a prescribed role in the planning process in Ireland since its introduction in 1963, the functions of which are set out primarily in the Planning and Development Act 2000, as amended and enforced through the Planning and Development Regulations 2001, as amended. The Planning and Development Act puts forward where prescribed bodies should be notified or referred to, however, the Planning and Development Regulations states individually which specific prescribed bodies are being referred to, as there are several such bodies which are only concerned with specific forms of development only. With regard to this, An Taisce for example is only prescribed to be referred in general, planning applications for the development of a dwelling in an Area of Special Amenity, whereas a case to this regard would not be referred to the Irish Aviation Authority, as it does not necessarily impact on an airport or flight path.

The prescribed functions can be divided into two elements:

- Development Plans and Guidelines
- Planning Applications for Development

Additionally, An Taisce is a statutory consultee in the forestry consent system under Environmental Impact Assessment (Amendment) Regulations 2001 (S.I. No 538 of 2001). Forestry in Ireland operates within a number of relevant Irish and European legal and regulatory frameworks. The Forest Consent System is the licensing system for Afforestation which, in theory, incorporates all

relevant legal and policy requirements relating to afforestation in Ireland. The forest consent system is run by the Forest Service, part of the Department of Agriculture Fisheries and Food, to regulate land afforestation. An Taisce ensures the implementation of EU environmental law protecting habitats and biodiversity, particularly Natura 2000 sites. It also encourages reduction in Ireland's greenhouse gas emissions and protection of water quality and wetlands. An Taisce promotes a policy which prevents inappropriate development on floodplains and works towards conserving the Irish Landscape, archaeological monuments, built heritage and protected structures.

It is the policy of An Taisce to protect the Irish taxpayer from the long-term economic, social and environmental costs of bad planning.

3.3 National Environmental Policy

The National Spatial Strategy does not replace or re-state environmental policies generally. However, development arising from the NSS will be implemented within the framework of strong and ambitious policies for protection of the environment and policies to integrate environmental considerations in sectoral policies (NSS 2002-2020, pp114).

The quality and character of Ireland's environment make a major contribution to national identity and to the 'green' image of the country. Ireland's national aims for achieving sustainable development point to three policy issues relating to environment:

- An International responsibility to present and future generations which combines the concepts of sustainability and good stewardship
- The role of the environment in economic development
- The role of the environment in contributing to the quality of life of people

The environment is a strategic and valuable asset for Ireland and as such it must be protected and proactively managed to ensure it forms the basis of Ireland's economic wellbeing and a healthy society, now and into the future. The EPA produces an assessment every 4 years, most recent in 2012. Although the overall finding of *Ireland's Environment 2012: An Assessment* shows that Ireland's environment remains in a good condition, Ireland faces a number of key challenges in the coming years and sustainability needs to be at the centre of any plans into the future.

The EPA's 2012 report has identified 4 key challenges for Ireland. These points from the EPA report are listed below (Lehane and O'Leary (ed.), 2012):

1. Valuing and protecting our natural environment.

A good environment is a critical component of high quality of life, with clean air and safe water being two of our most basic human needs. Abundant biodiversity and healthy soil are other aspects of our natural environment that are essential to humanity. Meeting the requirements of the Water Framework Directive (WFD) and protecting our water resources in a changing climate are pressing challenges for Ireland. Maintaining our clean air and healthy soil will also require continuing

attention, as will protecting biodiversity and nature from further loss and damage. Ireland's natural environment and resources have a great intrinsic worth. It is critical to value these resources as key assets for the State and to protect this wealth to provide for future generations

2. Building a resource efficient low carbon economy

The recent economic downturn has curbed, for the present, the type of growth in Ireland that was unsustainable. There is now an opportunity to ensure that future development is based on highly efficient processes and improved resource efficiency. From waste prevention to efficient and renewable energy, investment now in this area will position Ireland as a competitive economy into the future and help to provide protection from future economic shocks as well as allowing us to meet our targets under international climate change agreements. Meeting the 2020 targets on GHG emissions is a major task for Ireland. Domestic mitigation action is imperative, so that Ireland reduces greenhouse gases while also availing of the wider opportunities in terms of new and sustainable growth in the emerging global green economy

3. Implementing environmental legislation

In the coming years Ireland faces formidable challenges in meeting international obligations including for example on water quality, air quality, GHG emissions and waste management. Ireland also faces a number of EU infringement proceedings in relation to the transposition or implementation of a range of EU directives. It is important that Ireland complies with international commitments and ensures that legislation is implemented in a timely and appropriate manner. Similarly, the EPA and other regulators have an important role to play to ensure that a healthy, safe environment is delivered for Ireland through effective enforcement of environmental legislation at national and local levels. These actions are necessary not only to prevent avoidable environmental damage, but also to protect Ireland's reputation and green image, which is important to many of our economic sectors, in particular the agri-food and tourism sectors

4. Putting our Environment at the centre of our decision making

Achieving development and growth that is sustainable mean that environmental considerations need to be placed at the centre of policy and decision making at national, regional and local levels. There is a shared responsibility for achieving and maintaining a healthy environment. Clear leadership and co-ordinated efforts from Government and public bodies are needed to ensure that existing and future activities maintain and improve the quality of the environment, businesses, industry and farmers responsible.

3.3.1 National Parks and Wildlife Services

The National Parks and Wildlife Service (NPWS) is part of the Heritage Division of the Department of Arts, Heritage and Gaeltacht.

The role of National Parks and Wildlife Service (NPWS) is:

- To secure the conservation of a representative range of ecosystems and maintain and enhance populations of flora and fauna in Ireland
- To designate and advise on the protection of Natural Heritage Areas (NHA) having particular regard to the need to consult with interested parties
- To make the necessary arrangements for the implementation of National and EU legislation and policies including the EU Habitats and Birds Directives and for the ratification and implementation of the range of international Conventions and Agreements relating to the natural heritage. To manage, maintain and develop State-owned National Parks and Nature Reserves.

The service has four principal officers and is divided into a number of units, each with its own responsibility. Regional management is responsible for the implementation and enforcement of the Wildlife Acts 1976-2000, the Whale Fisheries Acts and the Regulations which bring the Habitats and Birds Directives into force, management of the Nature Reserves and National Parks while also advising planning authorities on impacts of development applications on biodiversity. The Parks and Reserves Unit is responsible for the designation of Nature Reserves under the Wildlife (Amendment) Act, 2000. It also manages the expenditure of approved funds (ERDF/NDP) as well as visitor provisions together with OPW. The Regulations Unit is responsible for development of policy, legal texts and guidance notes while the Wildlife Licensing Unit is responsible for licensing under the Wildlife Acts and the European Communities (Birds and Natural Habitats) Regulations 2011.

The policy of the NPWS surrounding National Parks is based on the International Union for the Conservation of Nature which defines National Parks. The highest steps should be taken to prevent or eliminate as soon as possible exploitation or occupation in the area and enforce the respect of ecological, geomorphological or aesthetic features which have led to its establishment. Visitors are allowed to enter National Parks for inspirational, educational, cultural and recreational purposes.

The NPWS manages the NHAs, SPAs and SACs in accordance with the EU directives and National legislation.

3.3.2 EPA Biodiversity Action Plan

Ireland has international and legal obligations to protect biodiversity. These include a commitment to halt biodiversity loss by 2020. Protection of biodiversity within and outside protected areas is necessary and will require greater integration of biodiversity concerns in sectoral policy development and implementation, at local and national levels. Ireland's National Biodiversity Plan (2011–2016) includes a programme of measures aimed at meeting Ireland's biodiversity obligations. This helps to ensure the sustainable management of biological resources and protection of biodiversity for future generations. Establishing a sustainable pattern of development is a key challenge for Ireland, and improving resource efficiency is a top priority to achieve this goal. Resource efficiency is also one of the key environmental priorities at EU level and is one of the seven flagship initiatives within the Europe 2020 Strategy. The challenge is to utilise resources in a sustainable manner throughout their life-cycle, avoiding over-exploitation and reducing the

environmental and social impacts of their use. Transforming the economy onto a resource-efficient path requires policies that recognise the interdependencies between the economy, wellbeing and natural capital and the removal of barriers to improved resource efficiency. To achieve a resource-efficient and green economy, there is a need to make a transition across all sectors of the economy and, in particular, the energy, agricultural and transport systems, as well as changing behaviours of producers and consumers.

Globally, species are currently being lost at up to 1,000 times faster than the natural rate, primarily as a result of human activities (MEA, 2005). It is estimated that in the EU, only 17% of habitats and 17% of species protected under the Habitats Directive (92/43/EEC) are in a favourable state (EEA, 2010). Recent evidence indicates that Ireland's biodiversity capital is still dwindling rapidly (EPA STRIVE, 2011). Unsustainable exploitation of Ireland's habitats and species includes many activities including recreational pressure (NPWS, 2008) Indirect pressures such as population growth, limited awareness about biodiversity, and the fact that biodiversity's economic value is often not reflected in decision making are also threats to biodiversity (EPA CCRP, 2009).

At EU level the Habitats Directive and Birds Directive create a comprehensive scheme of protection for wild species and habitats. While designation of protected areas in recent years has advanced substantially, the European Commission still considers Ireland's list of designated Natura 2000 sites as incomplete (EC, 2010). The full implementation of these Directives, along with other Directives including the Water Framework Directive (2000/60/EC) and the Marine Strategy Framework Directive (2008/56/EC), contribute significantly to biodiversity protection. The Environmental Impact Assessment Directive (85/337/EEC) and the Strategic Environmental Assessment (SEA) Directive (2001/42/EC) require the consideration of potential development impacts on biodiversity. The most important pieces of national legislation on nature conservation are the Wildlife Act, 1976, the Wildlife (Amendment) Acts, 2000–2010, and the EU (Natural Habitats) Regulations, 1997–2011. Under the Wildlife Acts nearly all bird species and some 60 other animal species are afforded protected status, as are some 90 plant species. Substantial changes were made to the planning code in 2010, which included obligations on local authorities to ensure protection of Natura 2000 sites and species listed in the Habitats and Birds Directives (see above).

The National Biodiversity Plan 2011–2016 (DAHG, 2011) is the main tool by which Ireland seeks to meet its commitments under the Convention on Biological Diversity and the EU Biodiversity Strategy. Reviews of implementation of the previous National Biodiversity Plan have reported mixed success (DEHLG, 2005, 2010). Local and public authorities and government departments were required under the previous plan to make local/ sectoral biodiversity action plans. The EPA and Bord na Móna published biodiversity action plans in 2010 (Bord na Móna, 2010; EPA, 2012), and 26 local authority biodiversity action plans are complete or in the final stages of preparation. As part of Ireland's response to a European Court of Justice ruling action/threat response plans have been published for 18 species of high conservation concern and a conservation plan for cetaceans has also been published, however it should be noted that much of our biodiversity lies outside protected areas and effective conservation.

There are some 630 proposed Natural Heritage Areas (pNHAs), comprising 65,000 ha, which were published on a non-statutory basis in 1995 but have not since been statutorily proposed or

designated and therefore currently receive limited protection. It is imperative that undesignated nationally important sites of biodiversity significance be designated as NHAs by the NPWS as soon as possible to afford them better protection. The NPWS Farm Plan Scheme was launched in 2006 but curtailed in April 2010 due to budgetary constraints. To date 658 NPWS farm plans on Natura 2000 sites have been approved. NPWS farm plans include specifically targeted measures towards the conservation and enhancement of suitable ecological conditions for various species of fauna.

Due to its obligations under the European Landscape Convention, Ireland is preparing a National Landscape Strategy which will also have significant implications for biodiversity.

3.4 National Landscape Strategy

Our landscape is our ultimate resource. The National Landscape Strategy will promote increased public awareness and understanding about landscapes including its value as a cultural and visual resource and its role in promoting Ireland's attractiveness as a tourist destination. It is an interdepartmental agenda between DECLG, HC, DAHG and Planning Authorities and is largely influenced by the European Landscape Convention (Florence 2000). This Convention recognises that our landscape has, and continues to, evolve through time but it needs to be managed and protected positively for a sustainable future with social, cultural and economic balance.

A new National Landscape Strategy for 2015-2025 has been drawn up which aims to:

- Provide the data that will assist in the future decision making process regarding our landscapes and ensure that decisions are made on the basis of factual evidence collected
- Assist in the achievement of greater consistency in decision making across the country when dealing with issues of landscapes, in particular by way of Landscape Character Assessment
- Ensure compliance with the European Landscape Convention and establish principles for protecting and enhancing the landscape while positively managing change

The NLS will inform and assist in the resolution of challenges arising from competing priorities in the landscape by understanding dynamic interactive characteristics during the decision making process. It is committed to meeting the provisions of the Water Framework Directive, the Floods Directive and the Birds and Habitats Directives. It is also committed to the management of the Natura Network, NHAs, pNHAs and National Parks. Landscape considerations are included in some existing sectors' strategies, plans and policies but are not currently a requirement in many sectors.

A National landscape Character Assessment will be undertaken as part of the National Landscape Strategy. This will provide the data and qualitative information required to evaluate and underpin effective planning which would have a landscape-centred decision-making process with a standardised format to set it against. The Strategy will also work to increase public awareness and understanding about landscapes as well as seeking effective methods of partnership, engagement and agreement between public authorities, the general public, voluntary organisations to promote sustainable landscape change, protection and planning. The Strategy actions are envisaged to be implemented at the most local level possible while ensuring guidance and procedures which are co-

ordinated at national level. Implementation of the Strategy will require collaboration of departments and agencies which will require the integration of a broad range of policy areas.

3.5 Codes of Practice

Codes of practice have been developed as a means to strengthen the management and protection of our archaeological heritage while at the same time allowing infrastructure providers in the state to progress with their work as efficiently as possible. These infrastructural bodies are:

- Irish Concrete Federation
- ESB Networks
- EirGrid
- Bord Gais Networks
- Coillte
- National Roads Authority
- Railway Procurement Agency
- Iarnrod Eireann
- Bord na Mona

The management of the required archaeological research in the planning stages of the infrastructural projects undertaken by these partners is an integral part to project design. The respective roles of the people involved, the consideration of archaeological implications, the effective mitigation and the costs involved are all considered at the earliest stage to provide the best opportunity to ensure appropriate archaeological investigation and mitigation.

3.6 National Tourism Policy

Tourism is one of Ireland's most important economic sectors and for that reason has been placed at the centre of the economic recovery plan since 2011. There are three aspects that are at the centre of the long term vision for the tourism sector – People, Place and Policy. The focus of tourism policy must therefore be to *“maximise the export contribution of tourism, while protecting the invaluable assets that are our natural, built and cultural heritage”* (DTTS, 2015). For the first time an agreed policy framework has been set out with a detailed action plan which specifies measures that will be implemented to achieve policy objectives.

The Government White Paper on Tourism Policy 1985 was the first comprehensive statement on tourism policy in Ireland and set the following objectives:

“To optimise the economic and social benefits to Ireland of the promotion and development of tourism both to and within the country consistent with ensuring an acceptable economic rate of return on the resources employed and taking account of tourism's potential for job creation; the quality of life and development of the community; the enhancement and preservation of the nation's

cultural heritage; the conservation of the physical resources of the country; and tourism's contribution to regional development."

The White Paper gave rise to a response from the key industry representative groups. The industry recommended ambitious targets for the sector that were subsequently adopted by Government. Since the late eighties, the prime objectives of national tourism policy were clearly articulated in successive national partnership development plans, and within the EU Community Support Framework for Ireland.

Since 2003 there has been a vision that Ireland would be a destination of choice for discerning international and domestic tourists and it would exceed their expectations in terms of friendliness, quality of environment, diversity and depth of culture. The objectives were to see customers of the tourism experience in Ireland repeat that experience and to communicate it positively to friends and acquaintances and if this was met then Irish tourism would be a major source and opportunity for profitable enterprise and a powerful social and economic tool for development at national and regional level.

However, in 2013, the Limerick Chamber quite bluntly puts it that 'Government involvement in Ireland's tourism model is uniquely centralised and statist' (Limerick Chamber, 2013). 'Ireland is the only developed country that gives responsibility for tourism development and local marketing to a centralized state organisation. In all other developed countries responsibility for tourism development and local marketing is given to local community-based organisations. These organisations typically involve the local authorities and the local tourism industry' (Casey & O'Rourke, 2013).

The policy objective set for the then Department of Arts, Sport and Tourism was to facilitate the continued development of an economic and environmentally sustainable and spatially balanced tourism sector, through formulating, monitoring and reviewing a range of supporting policies and programmes, particularly within the framework of the National Development Plan and North/South co-operation. Policy is implemented by state-sponsored bodies and executive agencies. The principal State Agencies are Fáilte Ireland, Tourism Ireland, Shannon Development and the Regional Tourism Authorities (OECD, 2004).

Government policy for the development of the tourism sector in Ireland has focused on supporting sustainable growth in visitor expenditure with an emphasis on a wider regional and seasonal spread of business. The Programme for Government Annual Report 2014 states that 'the tourism sector offers the potential of tens of thousands of extra jobs across the country. Building on the success of The Gathering, the lower VAT rate and new airline routes established as a result of the abolition of the travel tax, we will publish a new tourism strategy before the summer' (Programme For Government Annual Report, 2014). The recently published review of the Government Trade, Tourism and Investment Strategy sets out a 'new market approach' for Ireland's priority markets and updates targets for growth in exports, investment, tourism and jobs. The programme also highlights the success of event tourism such as 'The Gathering' and its potential in the future. Capital investment will still be put into large projects including the development of 'The Wild Atlantic Way' and initiatives such as Culture Night and International Week of Irish Culture will continue to be

supported (Programme For Government Annual Report, 2014). The North South Ministerial Council continues to progress economic co-operation and advance job creation on an all-Ireland basis with key developments including Tourism Ireland, and its partners, are implementing the GB Pathway to Growth plan which aims to grow the number of British visitors to the island of Ireland by 20% by 2016 (Programme For Government Annual Report, 2014).

There is a complex two-way relationship between tourism and the environment. There is a need for tourism that is compatible with the image of beautiful scenery and an unspoilt environment. Tourism does not operate in isolation. Given the diverse nature of tourism-related economic activity, it is affected by a wide range of policies, both at domestic and EU level. The policies, for example, that impact on the natural and built environment, impact on the prospects for the sector. The government's Fiscal policy has had both positive and negative impacts on tourism in the past number of years. Benefits include setting the Air Travel Tax to zero this year which has seen a growth in airline capacity into Ireland. There is a need for more positive fiscal policy in relation to tourism in the future development programme.

The players in tourism:

- The Visitors
- The Industry
- The Host Community
- The Environment/Location

Destinations seek to find a balance between their economic, social and environmental aspirations and the cooperate plans of tourism agencies, the actions by the public and private tourism industry and the policy priorities of this Government (discussed below) come together to form 'destination management' at a national level.

3.6.1 The Operators

The main body responsible for domestic tourism in Ireland is Fáilte Ireland. Fáilte Ireland was established under the National Tourism Development Authority Act 2003 to encourage, promote and support tourism as a leading indigenous component of the Irish economy. . Under the Tourist Traffic Acts 1939-2003, Fáilte Ireland is assigned responsibility for regulation of the various categories of accommodation. In addition to statutory regulation, there are also voluntary non-statutory listings for accommodation. There are also other aspects to the regulatory environment for the tourist sector with various Acts and EU and domestic legislation having both direct and indirect impacts on the tourism industry. The new tourism policy statement aims to reduce or streamline the administrative process associated with regulatory compliance within the department.

Tourism Ireland Ltd., the all Island tourist marketing company, was formally incorporated in 2000, following designation of tourism as an area for cooperation under the Good Friday Agreement (1998). Its function is to deal more with Ireland's tourist economy abroad as well as acting as a North-South cross border body developing the whole island of Ireland in tourism terms. The

company has responsibility for all-island destination marketing, Tourism Brand Ireland, the delivery of regional and product marketing and promotion activity on behalf of Fáilte Ireland and the Northern Ireland Tourist Board, and overseas office network.

3.6.2 Policy for Tourism in Ireland

Now that the tourism sector is considered by the government to have stabilised and be in recovery, the government has mapped out its long term vision for the sector. Tourism is not only important in economic terms; it also supports jobs and encourages social inclusion and access to the labour market. With Ireland being a small island economy, we are heavily dependent on exporting sectors to generate revenue, and tourism will be no exception, with a vision of maximising the benefits from overseas tourist.

There is currently a programme with a 2025 deadline for Ireland in relation to marketing which aims at putting tourism at the centre of an economic strategy for Ireland. Planning the preservation and presentation of our assets, i.e. Landscape, Seascape and Built Heritage, as discussed above, will be a major aspect of this programme. The goals set out for 2025 are:

1. Tourism related revenue to increase to €5 Billion in real terms
2. Employment in the sector to increase to 250,000 (an increase of 50,000 from present figures)
3. 10 Million visitors annually

In order to achieve this, government will place tourism as a key element in its economic strategy. People and Place remain the biggest assets and overseas marketing will be carefully balanced so that capacity can be met. There needs to be a clearer understanding of the responsibilities of government agencies, local authorities and other stakeholders with recognition of the contribution of communities.

In 2025 the aim is to have a 'vibrant, attractive sector that makes a significant contribution to employment across the country, helps promote a positive image of Ireland overseas and is a sector that people wish to work (Dept. of Transport, Tourism and Sport, 2014, pp3).

The policy objectives in relation to the promotion of 'place', seek to heighten visitors' anticipation of Ireland as a place and the desire to visit. They also seek to maintain and enhance the quality of the sense of place that is experienced during their visit which includes protecting assets for the future. Safeguarding assets works best when they make a social and economic contribution to the country. To this end, Failte Ireland has a role in planning legislation and will continue to engage with departments that have policy responsibility in relation to infrastructure as well as the appropriate regulatory bodies.

In order to achieve the objectives of the 2025 plan, it is important that overseas and visitors expectations are met and that any marketing employed will attract a balance of visitors from both mature and developing markets and that our heritage assets will be protected. The Government,

State Agencies, Local Authorities and the tourism industry and all stakeholders need to have a clear understanding of the responsibilities and expectations on them, with increased emphasis at community and local level for this. The new tourism policy statement also addresses the need for a dynamic tourism industry which can meet the changing needs of visitors, but is underpinned by a clear and coherent framework for development and that the highest standards of environmental and economic sustainability will be placed at the centre of the strategy.

Tourism is an export service and one of the primary issues is how to entice residents from other countries to visit Ireland, at a national level. At this level, we are not looking at individual tour operators or competing accommodation; instead we are marketing the destination, the quality of tourism offering natural scenery, culture and visitor attractions and events. These all contribute to the overall attractiveness of the destination. Economically speaking, it is not a viable model to have single players investing in interest-building as competition locally doesn't exist when marketing a destination, therefore Tourism Ireland takes responsibility for this, creating the 'purchase funnel'. There is a time lag between generating interest in a destination and the ultimate holiday purchase; therefore there is little incentive for huge investment in marketing the destination alone. Instead, the role of Tourism Ireland is to funnel and move potential visitors through active planning. Fáilte Ireland also works with Tourism Ireland on international marketing activities for certain specialist areas of tourism and the two bodies coordinate to ensure no duplication.

Visitors to Ireland come with certain expectations, most notably the perceived friendly hospitable people, the quality of our environment, the range of activities to see and do and our history and culture (Source: Fáilte Ireland Visitor Attitudes Surveys). The State has a key role to play in preserving our natural scenery, heritage and range of activities as these are the irreplaceable assets that are needed to enhance the visitors overall experience. The measures required for this are discussed at depth in previous sections of this document. The policy on tourism recognises that preservation and conservation of our natural and built heritage are crucial for continued growth of this aspect tourism and it looks to the legislative and regulatory role of the planning process and associated departments and public bodies to formulate their own strategies in this area. The NPWS and the OPW both work closely with Fáilte Ireland to manage state owned nature reserves, national parks and heritage sites, optimising these assets for the benefit of visitors. In addition to this, the DAHLG and the Heritage Council also have important roles in protecting landscapes and historic sites and the National Landscape Strategy as discussed above aims to promote the sustainable management and planning of our landscape until 2024. The Department of Transport, Tourism and Sport, along with the various tourism agencies will be key partners in the implementation of this strategy. Tourism is also a key component of the new proposed National Culture Policy; 'Culture 2025', which will be a fundamental review of Ireland's cultural policy and the steps needed to develop this sector. It will set out the high-level aims and policies of the Government in the area of culture, for the period up until 2025 and is due for release in 2016. Culture 2025 will be the first comprehensive cultural policy to emerge from Government in several decades. The wide access to the arts, culture, film and music and Ireland's rich heritage, including our language, is vital to preserving and evolving the national identity and helping to promote Ireland's image abroad. The arts, cultural heritage and creative industries also make a major contribution to the economy and to

sustaining and creating jobs with cultural tourism being a significant contributor to Ireland's economy and reputation on the international stage.

There has been substantial capital investment in tourism in Ireland over the past decade or more and this has dramatically improved the range and quality of activities for both overseas and domestic tourists. Various walkways, forest recreational infrastructure, new destination frameworks such as the Wild Atlantic Way and improved signage in historic areas are to name but a few of the investments. Current funding to 2016 has already been assigned to prior commitments but it is the Government's intention to fund a further Tourism Capital Investment Programme in 2016. It is also a key issue that these large public tourism infrastructural projects require upkeep which is beyond the initial capital investment and the policy here is leaning towards upkeep funded projects from non-tourism funding streams such as community and voluntary sectors. There is also a shift taking place from the previous notion of 'capital investment in physical assets' to the idea of the 'visitor experience' in the worldwide tourism industry and this must be considered in the design of any future Tourism Capital Investment Programme.

If the quality of the Irish welcome and hospitality as a key asset is to be marketed and met by the visitors, particularly the overseas visitor, then it is critical for the staff of public bodies and private enterprises to communicate with visitors in a way that is representative of the Irish Welcome.

The Irish tourism industry has shown an increasing ability to innovate and co-operation between State bodies, public agencies and private landowners to develop national products such as the Wild Atlantic Way, which is now a product at a scale that can be marketed internationally. The economic difficulties of recent years have also encouraged private enterprises to devise more efficient ways to operate and converge with other areas of economic activity giving rise to new forms of tourism, for example food tourism or farm tourism. These trends reflect the sectors ability to adapt to a changing environment, something that can be transposed across the industry as changes are needed to meet the challenges faced in the Burren.

Local Authorities play a very active part in many aspects of tourism and often work closely with Fáilte Ireland in development of projects that benefit the local community and visitors alike. Local communities have contributed to tourism over the years with community initiatives such as Tidy Towns benefiting the localities for the people living there and the visitors. The success of the Gathering showed how local communities can contribute to tourism in rural communities, bringing some economic sustainability at a local level throughout the country. As a result of this there will be an enhanced role for Local Authorities in the management of their respective tourism destination and the tourism experience in their areas, with integration of new spatial and economic strategies across regions and administrative boundaries.

The EU Commission has developed a number of tourism-related initiatives to be implemented in collaboration with national, regional and local public authorities, for example the European Destinations of Excellence (EDEN) awards. While the EU is no longer a source of major funding for capital investment in tourism, funding for rural development, provided under the EU Common Agricultural Policy (CAP), continues to provide opportunities for diversification of the rural economy into areas such as tourism.

At a national level, the reduction to two agencies has majorly reformed the tourism structure in Ireland for the better. The oversight of the two agencies must meet the highest standards of corporate governance. Government policy means that no group or region should expect favourable consideration with regard to representation.

While the agencies are bound by overarching Government policy, they exercise discretion and operational independence, as provided for in legislation, in the execution of their responsibilities. They work together and with other State agencies where appropriate to maximise efficiencies and provide the best possible service in line with Government policy priorities. Tourism does not operate in isolation and given the diverse nature of tourism-related economic activity, it is affected by the wide range of policies that impact for example on the natural and built environment, both at domestic and EU level, as outlined above.

3.7 Geological Survey of Ireland

GSI as the national earth science agency naturally attempts to support the appreciation of geological heritage within Irish society.

The core policy for the Geological Survey of Ireland is to *'maximise the benefit to Ireland of providing high quality geoscience information to customers, in a cost effective manner, that is relevant to the sustainable economic development of our natural resources and the wider societal issues concerning environmental protection and quality of life'* (GSI, 2010).

Geoscience is integral to our economy's future success and the benefits of investment are significant. Its economic contribution is great, with Geoscience being a key sector in both Ireland and Northern Ireland, but it risks being undervalued. It is vitally important that the community understands the value of our geological resources and the contribution that they make to our economic development and quality of life. This helps to ensure that investment in the Geoscience sector is maintained and that we continue to educate and train high-quality geoscience graduates

The strategic objectives of the GSI are:

- To support the sustainable development of Ireland's earth resources
- To provide reliable geoscience support for environmental protection and effective spatial planning.
- To complete strategic geoscience surveys in priority areas (both onshore and offshore) in response to the needs of specific sectors and customers
- To support the knowledge economy through the provision of open access to modern geoscience databases and through supporting priority research themes and educational services.

The National Geoscience Programme (2007-2013) established a series of key research objectives which covered the energy, environment, marine and infrastructure sectors:

- To explore the energy potential of our subsurface, include offshore petroleum and onshore geothermal;
- To assess the options for carbon storage in deep geological formations;
- To model the impacts of climate change and intensifying infrastructure on groundwater supplies;
- To provide inshore surveys in support of the optimum use of marine resources;
- To provide high resolution assessment and monitoring of hazards such as landslides and tsunamis;
- To ensure aggregates are available to support balanced regional development

The programme was designed to enhance the contribution that geoscience makes to sustainable environmental management, the development of natural resources and infrastructure, an understanding of natural hazards and a better appreciation of how the Earth works as a planet. While geoscience continues to provide services to the petroleum and minerals sectors, it increasingly supports a wide range of others, including planning, environment, agriculture, water supplies, infrastructure, transport, tourism and heritage.

The Irish Geological Heritage programme is a partnership between GSI and the National Parks and Wildlife Service (NPWS). Since its launch in 1998, the IGHP aims to:

1. identify and document the wealth of geological heritage in the Republic of Ireland
2. protect and conserve it against ever increasing threats through local authority planning
3. promote the value of geological heritage with the landowners and the public

NPWS have the responsibility of designation and management of Natural Heritage Areas (NHAs) with appropriate advice from GSI. The programme includes liaison with Local Authorities in the preparation of their County Development Plans and Heritage Plans to include geological heritage in the planning system. It also provides input in Environmental Impact Assessment and Strategic Environmental Assessment mainly for geological heritage. If a geological site is not afforded NHA status, it is hoped that some would become County Geological Sites (CGS) and while not afforded statutory protection, these CGS could be included in County Development Plans, promoting their interest through the Heritage Plans.

The legislative requirement for Environmental Impact Statements to address geological heritage is not mentioned in the EIA Directive 85/337/EEC nor is geology. The same applies to the directive amendments 97/11/EC and 2003/35/EC. However, geological heritage is considered in the directive's transposition into Irish Law where geological heritage (described as geological feature/geomorphological feature) is afforded protection if it has the status as an European site of 'Special Area of Conservation' (SAC) under the Habitats Directive 92/43/EEC, or is/proposed as a designated Natural Heritage Area, nature reserve and/or refuge (all under the Wildlife (Amendment) Act, 2000). At European level, SACs have mainly been designated for their ecological importance. However, for some of them, geology represents a strong component: habitats such as limestone pavement, active raised bogs, blanket bogs (if active) or turloughs are listed as priority natural habitats (Annex I of 92/43/EEC). Local Authorities have responsibility to consider geological heritage

when devising their Development Plans through the inclusion of national heritage policy and planning regulations.

A new GSI Bill is being formulated, which, when enacted, will place a requirement on anyone excavating within prescribed limits to keep records and notify the GSI, so it would be beneficial for all to commence this practice at the earliest opportunity. GSI is a designated 'Statutory Consultee' to the DAHG, to be consulted where the application relates to minerals extraction, quarry developments/extensions and developments involving excavations greater than 50,000 m³ in volume or 1 hectare in area.

4 Regional Policy

At a regional and local level, the national policies are used as an umbrella to govern the natural and built environment and are tailored and incorporated into regional plans for a given area. At first this may appear that policy is tailored to suit locally and national legislation and policy is transferred well to local level, but this is not always the case. Many of the regional or local plans remain sufficiently vague and open so as to allow them to be adjusted accordingly to suit specific needs. Authors will argue that this is necessary to allow for flexibility but the reality is that regional and local plans are of little more assistance than their overarching policy documents.

4.1 Clare County Development Plan

The Clare County Development Plan 2011-2017 nestles within a clear hierarchy of spatial policy documents. This hierarchy of strategies, policies, plans, etc., follows a format which commences with high level International and/or EU documents feeding progressively downwards into site specific local plans and policies. As this is a County Development Plan, it is at an important level in terms of the development of County Clare, though it must adhere to policy and strategic options which are pre-determined by higher level plans and guidelines. The Plan is affected by, and will affect a wide range of other relevant plans and programmes, and environmental objectives.

The main development goals for the Clare County Development Plan that are deemed relevant to the GeoPark Programme include the following:

- A County Clare that drives local and Regional growth through harnessing the potential of its unique location, quality of life, natural resources and other competitive advantages.
- A County Clare whereby the sustainable growth of the County is developed and integrated with the timely delivery of a wide range of community, educational and cultural facilities and where through a commitment to equality, accessibility and social inclusion, the County develops as a unique location with an enhanced quality of life for its citizens and visitors.
- A County Clare which protects and develops the County's water and wastewater infrastructure, integrating their provision with the County's overall land use strategies whilst

having regard to environmental responsibilities and complying with European and National legislation.

- A County Clare which manages and protects its natural resources, groundwater and air quality, manages flood risk, promotes the concepts of reducing, re-using and recycling and facilitates the reduction of greenhouse emissions and promotes sustainable development in full conformance with the requirements of the Habitats Directive.
- A County Clare which facilitates and encourages sustainable forms of movement and transport in our towns, villages and rural areas, promotes the delivery of local transport links, provides safe and efficient road and rail access within the County and to other regions and achieves its full potential and attractiveness for International air and marine transport and connectivity.
- A County Clare in which tourism growth continues to play a major role in the future development of the County, adapting to the challenges of competing markets by maximising the development of a high quality diverse tourist product throughout County Clare.
- A County Clare with diverse and strong rural communities and economy, where its natural resources are harnessed in a manner that is compatible with the sensitivity of rural areas and the existing quality of life.
- A County Clare of 'living landscapes' where people live, work, recreate and visit while respecting, managing and taking pride in the unique landscape of County Clare.
- A County Clare which protects and enhances the County's unique natural heritage and biodiversity, while promoting and developing its cultural, educational and eco-tourism potential in a sustainable manner.
- A County Clare that affords adequate protection and conservation to buildings, areas, structures, sites and features of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and recognises them as a social, cultural and economic asset to the County.

(Extracts From Clare County Development Plan 2011-2017
<http://www.clarecoco.ie/planning/planning-strategy/development-plans/clare-county-development-plan-2011-2017/>*)*

The Development Plan is the single most important policy document for the County as it represents an agreed economic, social, cultural and environmental blueprint for the future planning, growth and development of County Clare. The County Development Plan has been proofed to ensure that all aspects of its goals and objectives reinforce a commitment to equality, accessibility and social inclusion. Among the key goals of the Clare County Development Plan 2011-2017 is the commitment to promote tourism development and maintain a high quality environment.

Tourism will continue to be one of the key sectors in the future economic development of County Clare over the period 2011-2017. The tourism product is built on the bedrock of a unique and diverse built and natural landscape, including the Burren, Atlantic coastline, Shannon Estuary and Lough Derg, together with a network of vibrant and attractive historic towns and villages. The County is also home to some of Ireland's premier tourist attractions, including Bunratty Castle and Folk Park and The Cliffs of Moher. The Clare County Development Plan recognises that these

resources must be supported by excellent transportation infrastructure, including Shannon International Airport and an accessible road and rail network, and by a cohesive well-marketed and high quality tourism product. The goal will be to capitalise on the County's diversity to try and ensure a strong year-round tourist economy. The Cliffs of Moher will be maintained as one of the country's premier tourist attractions. All of these objectives of the tourism sector depend on safeguarding the built and natural environment, ensuring the highest quality in all new development and also affording appropriate protection to structures, sites and landscapes of intrinsic heritage value. To this end there is a need to strike an optimum balance between facilitating future development while managing the built and natural environment. This is achieved through enhancing awareness of the County's outstanding built, natural and cultural heritage.

4.1.1 North Clare Local Area Plan

The administrative area of the Mid-West Regional Authority comprises County Clare, North Tipperary, Limerick City and County. The North Clare Local Area Plan 2011-2017 sets out the land use plan for the proper planning and sustainable development of each settlement in the area of the Plan in accordance with the Clare County Development Plan 2011-2017 which acts as a 'parent' document. North Clare has both a distinct topography and geology due primarily to the location of the Burren within the Area. The Plan provides a framework for the development of the North Clare area over the period 2011-2017, incorporating the relevant strategic objectives at a National and Regional level into a format specific to the Plan area. This is for the purpose of guiding development in the Plan area in terms of the provision of residential accommodation, adequate services and infrastructure and how this can be balanced with the protection of the local environment.

Local Area Plans will be incorporated into the County Development Plan from 2017 (Meehan, *pers. comm.*)

4.2 Clare County Heritage Plan

The County Clare Heritage Plan 2011-2017 sets out how Clare County Council, in association with other stakeholders, will identify, manage and conserve heritage for the benefit of all. The County Clare Heritage Plan 2011-2017 will collect and make available heritage information, raise awareness through education initiatives, surveys and research. It will inform public policy on heritage matters and support the strategic and integrated management of heritage issues at a local level.

This Heritage Plan aims to create awareness and understanding, leading to a greater appreciation and ownership of our natural, built and community heritage. In addition, the implementation of specific actions will optimise the unique character of County Clare's heritage and promote best practices in the conservation and management thereof.

4.3 Regional Planning Guidelines

The National Spatial Strategy (NSS) sets out the policies on spatial planning adopted by the Government at national level. At regional level, a key policy bridge between national development priorities and local planning has been put in place with the adoption in mid-2004 of Regional Planning Guidelines (RPGs). RPGs put in place policies to translate the overall national approach of the NSS into policies at regional and local level. While working within the national framework of gateways, hubs, other towns, villages and rural areas, the RPGs provide more detailed regional level guidance, assisting planning authorities in framing County, City and Local Area Development Plans. As well as overseeing the implementation of RPGs, the Department monitors the preparation of County, City and Local Area Development Plans to ensure that they are consistent with the objectives of the NSS.

4.3.1 Mid-West Regional Planning Guidelines 2010-2022

The Mid West Regional Planning Guidelines⁵ (MWRPG's) 2010-2022 give effect, at a Regional level, to the National Planning Framework put forward in the National Spatial Strategy (NSS), first adopted in 2002 and updated in 2010, and National Development Plan (NDP) 2007-2013. They also reflect other national social, economic and environmental policies which affect the Mid-West Region, as well as a range of existing regional strategies such as the regional Climate Change Strategy and the regional Waste Management Strategies. The MWRPG's provide a Regional framework for the formulation of policies and strategy in the County Development Plan and seek to ensure the proper balance between the different settlements in the region with regard to development, population and services. The Guidelines present an updated Regional settlement strategy and outline a range of criteria for Development Plans in the context of population and settlement and identify strategic infrastructure investments for the region. This Regional guidance has influenced the development of the settlement strategy for County Clare. The MWRPG's 2010-2022 continue the 'Zone' based strategy (Zone 1 – Zone 8) that was employed in the 2004 Guidelines, outlining the development potential and needs of each zone in turn. North Clare falls into Zone 1 and 3.

Renewable and sustainable energy lie at the heart of the Government's environmental and economic policies. The Guidelines propose that the Mid-West Region has high potential for the provision of renewable energy including bio-energy and other green technologies that would benefit the economy and environment alike. The Mid-West region is particularly well placed to make use of these policies with a wide range of renewable resources such as wind and wave power, forestry and at a smaller scale the potential use of farm waste for anaerobic digestion in some regions. A number of key strategy documents exist which address these such as the 'Regional Climate Change Strategy' and the 'Clare Wind Energy Strategy'. With these policies in mind, planning Authorities such as make provisions for new uses of agricultural land and all development plans should identify such areas where renewable energy proposals should be considered. Those areas which lie within the Natura 2000 will be subject to Habitat Directive Assessments (see above).

The MWRPG identifies a need for a common approach to landscape management across the region which will identify landscapes of similar character and adopt policies as appropriate to them. Landscape protection policies should take into account protection of ecological sites, habitats and species of ecological value and ecological corridors and networks to ensure the overall coherence of the Natura 2000 network. Development Plans should include policies for linear landscapes such as water courses and hedgerows, which provide pathways for the dispersal and genetic exchange of wild species. The common approaches should be adopted while the detailed management of individual landscape units are the responsibility of the individual Planning Authorities and local circumstances as well as shared approaches will inform specific decisions.

The implementation of the RPG lies largely with the semi-state bodies charged with the provision of social, economic and physical infrastructure and the protection and enhancement of our natural and human resources. These include:

- Regional Authority and its operational committee
- Local Authorities
- County and City Development Boards
- Other standing and ad hoc committees

The Mid-West Regional Authority takes responsibility for the establishment, management and facilitation of these arrangements. Coordination Groups for Specialist Areas identified in the MWRPG document include a specialist group for the Burren Area which has responsibility to set criteria and parameters for Local Authorities and other bodies that will be charged with the operational procedures and policies in the MWRPG document. These groups are designed to provide policy consistency across administrative boundaries that arise in these special areas. There are also specialist groups for cross-county policies relating to renewable energy, landscape management and transport integration.

Operational implementation of the strategy and RPGs require the cooperation of a range of executive agencies throughout the region. Some of these are nationally based organisations such as the Government Departments, which need to be involved, but most of the bodies do not fall within the control of any structure but it is hoped that they would be given some weight in any decision making process.

A Cross-Regional implementation strategy with a particular focus on inter-regional strategic tourism initiative is the 'Lakelands and Inland Waterways' which is a joint initiative of Failte Ireland, Waterways Ireland, Shannon Development, Northern Ireland Tourist Board, Find Fermanagh and Tourism Ireland.

4.4 CEDRA and Irish Towns

Rural areas have experienced substantial falls in employment and increased emigration since the economic downturn began. The Commission for the Economic Development of Rural Areas (CEDRA)

was established in November 2012 to create an economic strategy for rural Ireland that will drive economic development, support employment and create jobs at a local level.

The Commission for the Economic Development of Rural Areas (CEDRA) identified the need to take a more tailored approach to planning at both a regional and local level and recognised that this approach should not be restricted by current administrative boundaries. The Commission believes this will require not only new systematic approaches but also a new cultural approach to planning that is focussed on participation and flexibility while centred on evidence of where the potential for economic development is situated.

The landscape management approach and the role of communities in managing their heritage is being integrated into policy proposals. As part of the new proposed National Planning Framework (NPF) it has been suggested by the Heritage Council that government should produce Irish Urban Policy. Irish towns have many qualities, some of them overlooked, and they are experiencing rapid change in relation to their character and social, cultural and economic vitality. In order to manage the process of change and yet hold on to all the meaning and value of towns, we need to understand the social and economic forces at work. It is in everyone's interest that the assets should be properly and sustainably used and the government should collect the information and formulate a national policy on the importance of Irish towns...(which)...would inform local, regional and national policies' (Heritage council, 2015).

The evidence presented in the CEDRA report demonstrates that in general, there is a clear beneficial relationship between towns and the surrounding rural areas, i.e. the rural hinterland, and similarly between towns and larger towns and cities in close proximity. These areas represent Ireland's actual economic geography. Therefore, these functional areas represent an appropriate scale of intervention when attempting to foster rural economic development as they encompass most of the resources available to enterprises and communities that an area has available to support economic development. These areas are classified within the CEDRA report as Rural Economic Development Zones or REDZ. REDZ are defined as functional rather than administrative geographic areas that reflect the spatial patterns of local economic activities and development processes. The CEDRA report identified potential REDZ in all areas of Ireland and recommended the implementation of a pilot initiative that supports the formulation of a localised strategic approach to the development of REDZ. The recommendation envisages full participation by communities at a local level in order to foster a sense of ownership of the REDZ development process.

The aim of this initiative is to support a number of REDZ projects throughout Ireland. Funding through REDZ for pilot projects would allow local authorities in cooperation with each other across administrative boundaries to provide match funding to implement the projects. This criteria would help foster a sense of ownership of the project and ensure that local authorities and stakeholders work together to develop and implement their projects. Pending the success of the scheme, it may be possible that a more extensive REDZ initiative under the LEADER elements of the RDP could take place in early 2016 with a view to having the funding allocated and the work commenced in mid - 2016.

The Heritage Councils proposal for a new Urban Policy for Irish towns of all sizes as part of the emerging National Planning Framework looks at the strategic economic roles of towns in local economies as outlined in the CEDRA report to encourage future funding programmes for rural economic development.

4.5 Good Farming Practice

Until the late 1990's Ireland's nature conservation policy concentrated almost exclusively on site-based conservation initiatives. With the transposition of the European Union's Habitat Directive into Irish law and the signing of the Convention on Biological Diversity, all sectors of the economy, including agriculture, became linked to nature conservation objectives.

Agriculture is the principal land use in Ireland and is of vital importance for maintaining much of Ireland's biological and landscape diversity and the primary carers of the rural landscape are our farmers. With that in mind, it is necessary to look at farming practices in County Clare and the Burren Geopark region and also the policies which influence them. The previous BurrenLIFE project dealt in detail with this aspect of farming for conservation (see below).

Farming is closely associated with challenges facing society including the use of natural resources and the preservation of the continuity of the farming sector which is vital to our rural economies and heritage. There is an increased need for incentives for farmers to adopt sustainable farming methods and to meet these challenges the EU has created and implemented the Common Agricultural Policy (CAP) while the Department of Agriculture and Food established the Rural Environment Protection Scheme (REPS), also in response to EU legislation.

The stated objectives of the REPS are:

- To establish farming practices and controlled production methods which reflect the increasing concerns for conservation, landscape protection and wider environmental problems;
- To protect wildlife habitats and endangered species of flora and fauna;
- To produce quality food in an extensive and environmentally friendly manner.

Our countryside is not in its original natural state. It has been shaped by farming over the centuries, which has created our diverse environment and its varied landscapes. Our countryside provides the habitat for a great diversity of fauna and flora. This biodiversity is critical for the sustainable development of the countryside. Farmers are the first to realise the need to care for our natural resources and to avoid negative side-effects of some farming practices, the EU provides incentives to farmers to work in a sustainable and environmentally-friendly manner, mainly through income support payments for the adoption of environmentally sustainable farming methods. In addition, the CAP promotes agricultural practices such as maintaining permanent grassland and safeguarding the scenic value of the landscape. Protecting biodiversity and wildlife habitats, managing water resources and dealing with climate change are other priorities that farmers are required to respect. In this regard, the EU's Natura 2000 programme is relevant.

Other policies impacting on farming include the EU Rural Development policy 2014-2020 and the EU Forest Strategy, all intended with a view meeting the challenges faced by our rural areas, and unlocking their potential economically and socially while at the same time improving the quality of the environment and life through diversification.

4.6 Tourism at Regional and Local Level

Tourism plays a significant role in the economy of the Mid-west. The Region contains a number of key tourism zones, including several attractions of national and international significance. The locations of existing attractions are poorly distributed throughout the region with the focus primarily west of the Shannon. As a result, diversification and regeneration of the rural economy in the eastern and southern peripheries has suffered. While there is a need to secure and maintain the established tourist resources and locations around heritage and landscape, there is also a need to explore alternative tourist proposals for other rural areas as recommended by the NSS.

The Local Authority can have a key role to play in developing and delivering tourism products. As authors of development plans as well as influencers of regional area strategic plans, the local authority plays a key role in aligning policies at a local and regional level. They also provide infrastructure and environmental management that is essential for a fully-functioning economy like the provision of roads and the provision of recreation and amenity facilities, with consequent benefits for both locals and visitors. As stated above (Limerick Chamber, 2013), Ireland's tourism model is uniquely centralised and statist' and this is not a good model for success, therefore while there is need for a national strategic direction to be adopted, it can be implemented at a local level from bottom up. The Government has already seen the benefit of this from events such as 'The Gathering'. However, if Local Authorities are to be tasked with playing a more pro-active role in tourism product development they must be given the adequate resources to deliver this in a manner that facilitates streamlining, not duplication of existing services. Local Authorities are active in many aspects of tourism such as the organisation and funding of events with local communities contributing through initiatives such as 'Tidy Towns', festival organisation and local amenity development. There is little formal recognition of the contribution of communities. The strength of the community sector as a driver of diaspora-related tourism, leading on from the success of The Gathering 2013, is now recognised and Failte Ireland with other partners is providing funding for up to 700 local community-based events between 2014 and 2016.

Tourism is an industry that is intimately linked to community. When a tourist visits any destination the holiday experience will be based on all his/her experiences at the destination. A single business cannot control the totality of the holiday experience in the same way as a single manufacturing business can control product quality. Tourism needs the support of the entire community and of all the institutions of the community. Similarly, tourism destinations do not necessarily align with administrative boundaries and Local Authorities need to work in cooperation with one another in managing and developing destinations and this should take place with due regard for national tourism policy, brand architecture and the consumer segmentation model already outlined. The establishment of Local Community Development Committees and the development of Local

Economic and Community Plans have the potential to support a more integrated approach to deliver the support tourism at Local Authority level. The DTTS is also participating in the inter-departmental group tasked with the implementation of the recommendations of the CEDRA report (see above).

Grant aid for specific rural tourism projects is available through local leader companies. Tourists want a place to stay, something to eat and something to do. Farm families who have developed a successful rural tourism business are acutely aware of this and have targeted one or more of these needs.

5 Local Initiatives

5.1 Tidy Towns

The national Tidy Towns initiative was launched by Bord Fáilte, the Irish Tourist Board (now Fáilte Ireland), in 1958 as part of the 'Tostal', a nationwide festival celebrating all things Irish. A step-up from the original National Spring Clean Campaign which ran between 1953 and 1957, Tidy Towns rapidly developed its own identity and has gone on to become Ireland's most well-known and popular local environmental initiative.

Following the restructuring of Bord Fáilte in 1995, the Department of the Environment, Community and Local Government assumed responsibility for Tidy Towns and now organises the initiative with the support of national sponsor SuperValu and a number of other agencies. Its success continues, and while it has moved with the times, it still retains the same core principle of its founders- "make your place a better place."

There are publications available on the Tidy Towns website which detail how the competition operates. A Tidy Towns Handbook was prepared by the Department of Environment, Heritage and Local Government in 2002, with an update on Sustainable Waste and Resource Management in a document prepared last year (2013). These documents don't outline specific policy per se but the handbook does suggest that any group should discuss the scope of the Local Area Plan (or Village Design Statement if one exists) with the Local Authority, to see where synergy between work programmes and actions can be realised.

The Heritage Council publication with Tidy Towns and the Department on Conserving and Enhancing Wildlife in Towns and Villages (2002) suggests the preparation of a wildlife conservation plan as part of any project undertaken and also provides useful information on common habitats in Ireland and practical guidelines for their management.

Apart from this, it is expected that the Tidy Towns competition would operate under existing legislation and policy from EU to Local level.

5.2 Burren Specific Initiatives

5.2.1 Burren Connect/Burren and Cliffs of Moher Geopark

The precursor to the current GeoparkLIFE project was Burren Connect. The Burren Connect project worked with local stakeholders and community groups on environmental protection and sustainable visitor management in the Burren region of County Clare. That project was supported by Clare County Council, Shannon Development, Geological Survey of Ireland, National Parks and Wildlife Services, National Monuments Services, Failte Ireland, BurrenBeo Trust and the Burren Connect Advisory Committee.

In June 2012 the Burren and Cliffs of Moher Geopark secured funding under LIFE+, the EU's environmental fund, for a comprehensive programme of actions aimed at protecting the rich heritage and landscape of the Burren while supporting local employment and economic activity. Match funding is being provided by Clare County Council, Geological Survey of Ireland, Failte Ireland, National Parks & Wildlife Service, National Monuments Service, Office of Public Works, Heritage Council, National University of Ireland Galway and University College Dublin. This project runs from 2013 to 2017.

The Geopark LIFE Project aims to strengthen the integration of tourism and natural heritage, reconciling tourism development with conservation of biodiversity and cultural heritage in the Burren region. It aims to achieve this through a number of principles devised for sustainable tourism:

1. Working together to collectively develop and promote the Geopark as a sustainable tourism destination.
2. Caring for the landscape by participating in conserving our natural and cultural heritage in accordance with the European Geoparks Network Charter and Leave No Trace principles, and in compliance with relevant legislation.
3. Understand our heritage and communicate the unique character of our place and our stories, emphasising the particular attributes and strengths of the Geopark.
4. Sustainable tourism management by building capacity in destination management and stewardship, focusing on enhancing the quality and standards of visitor experiences and tourism products and services.
5. Vibrant communities that will optimize tourism's potential as both an economic and social development tool which benefits hosts as well as visitors.
6. Strengthened livelihoods to create strong economic benefits through product development, marketing and promotion, cost and energy savings, local sourcing and the creation of local employment.

GeoparkLIFE provides a framework for a sustainable destination management programme for the Geopark region. This programme is broad and holistic in focus and through its partnerships it contains actions related not just to tourism enterprises but also to monuments and habitats, learning, conservation management, monitoring, measuring and evaluating. The project is designed

to ensure that the achievements are tangible and that these outcomes on sites, resources and heritage will be structured to ensure that they are self-sustaining and lasting. The outcomes will also be mainstreamed into the local organisational systems, community groups, operators and funding organisations and hopefully will, themselves, be capable of stimulating further action.

5.2.2 Burren EcoTourism Network

The Burren Ecotourism Network was established (through Burren Connect) to protect the delicate and important landscape of the Burren through a network which brings together local businesses, supported by agencies and local communities, to promote responsible travel to natural areas that conserves the environment and improves the well-being of local people while at the same time providing really great holiday experiences for all their visitors.

The Burren Ecotourism Network (B.E.N.) is a network of tourism enterprises with the objective of establishing the Burren as an internationally-recognised sustainable tourism region ensuring the future economic and social growth and sustainable development of its communities, environment and heritage. It seeks to support continued training, mentoring and accreditation in sustainable tourism for its members and for businesses interested in joining the Network.

The Network aims to be a recognisable network of enterprises in the Burren, who have achieved independent accreditation, demonstrate ecotourism 'best practice', positively discriminate in each other's favour, provide 'one voice' representation on issues impacting the Burren (where appropriate), and inspire conservation activism.

The Burren and Cliffs of Moher Geopark believe that the sustainability of a destination begins with the sustainability of the businesses operating within it and the sustainability of the products and experiences they offer. Therefore, the Geopark has partnered with the Burren Ecotourism Network to develop the region as a sustainable tourism destination.

BEN members show a commitment to ecotourism principles by:

- Using environmentally sustainable practices
- Bringing people into nature
- Promoting the natural and cultural heritage
- Contributing to conservation
- Maximising benefits for local communities
- Ensuring visitor satisfaction
- Marketing responsibly
- Increasing cultural respect and awareness

The Geopark offers extensive managerial, administrative, training and marketing support to members of the Network, who engage in constructive networking and collaboration across environmental, social and economic indicators. This happens through a three-stage process of

training, adoption of the code of practice and then joining the network. There are incremental benefits accruing to businesses at each stage of this process.

5.2.3 Burrenbeo

Burrenbeo is a not for profit organisation, established in Kinvara, Co. Galway with the primary objectives of education and awareness of the Burren, Co. Clare with a particular emphasis to acknowledge and support the positive contribution of the local farming community to the natural heritage of the area. Through their work, Burrenbeo often engage with partners, including Clare and Galway Local Authorities, Leader Clare and Galway, National Parks and Wildlife Services, Heritage Council, Teagasc, Clare County Enterprise Board, Fáilte Ireland and Shannon Development. In these instances, the policies of the project partners contribute to guiding the work of the organisation.

Burrenbeo also seeks to promote the Burren as a haven for eco-tourism through education and marketing. The Burrenbeo website contains an abundance of information for visitors on the local environment, as well as news and events and local amenities. Through their website and education courses they provide an integrated marketing and promotional facility for Burren tourist services and product through the Burren Business Network. Its future plans are to continue to develop a more sustainable form of Eco-tourism for the Burren and strive to build on its status as a key provider of quality information for the Burren.

5.2.4 Burren Charter

The proposal for the Burren Community Charter came about from within where it was concluded that the rich and valuable resource that is the Burren should be developed by the people and communities of the Burren and not be imposed from outside. This landscape, which is a home and resource of inestimable value for the communities who live there, requires an integrated approach to conservation and development. It is this belief that brought together four Burren based organisations – the Burren Farming for Conservation Programme (BFCP), the Burren Connect Project, the Burrenbeo Trust and the Burren IFA – to work in conjunction with the Heritage Council, Galway County Council and Clare County Council, to develop a Community Charter which will support communities, sustain heritage and develop local business, farming and tourism in the Burren. A common vision for the future of the Burren was defined with each of the partners and communities aspiring to play a role in that vision.

The Burren Community Charter vision for the Burren:

- Where a high quality of life is enjoyed by all
- Where the natural, built and cultural heritage is protected and improved
- Where respect for the environment and local economic development are compatible
- Where there are recreational opportunities for residents and visitors alike
- Where dynamic, engaged, sustainable local communities work together for shared benefits as they build a better future.

The guiding principles for the Charter are:

- that the Burren is an exceptionally rich natural and cultural landscape
- that the local community must be central to decision making with regard to the management of the Burren
- the wish of all signatories to the Charter to work in partnership to secure a more co-operative, productive and sustainable future for the Burren landscape and its people

5.2.5 Burren Code

The Burren code, which was first published under the Burren Tourism and Environment Initiative as a joint initiative between Clare County Council, the Dept. and Shannon Development, was designed to inform people as to appropriate behaviour when visiting the Burren.

The principles of the Burren Code are:

- Leave the limestone pavement as you find it
- Preserve natural habitats and leave wildflowers undisturbed
- Take care not to damage monuments, walls and buildings
- Respect landowners, their property and their livestock
- Park and camp in designated areas

5.2.6 Burren Farming for Conservation Project

The Burren Farming for Conservation Project (BFCP) emerged from the Burren Life Project, which essentially was in development since the 1990s when local farmers, in conjunction with Teagasc, University College Dublin and the National Parks and Wildlife Service, came together to research project 'The Impact of Agricultural Practices on the Natural Heritage of the Burren'. The results of this research highlighted the important role that farming plays in supporting the rich biodiversity and cultural heritage of the Burren, and also the worrying breakdown in traditional farming systems and the habitats dependent on them (Dunford, 2001). These partners came together again in 2004 and secured EU LIFE funding to try to address some of the problems identified in the initial research project, and to develop the first major farming for conservation project in Ireland and one of the very few EU projects which placed farmers at the centre of the conservation agenda.

Emerging from the LIFE work with 20 Burren farmers the BFCP now works with 160 farmers on 15,000ha of prime Burren habitat building directly on the lessons learned through the BurrenLIFE project. It works in a very creative way to support and incentivise farmers to maintain and enhance the habitats of the Burren, effectively tackling many of the issues identified in the original research project over a decade previously.

Burren Life is farmer-led. Farmers nominate and co-fund conservation actions on their own farms and are generally free to manage the land as they see fit (within the law). The bureaucratic burden is minimised through the BFCP (e.g. via a simple farm plan and support for securing permissions) so that farmers can concentrate on what they do best, i.e. Farming. BFCP is results-based, flexible and adaptable where farmers create their own simple farm plan which is tailored to suit the needs of the individual farm and outlines the two payment categories: Payments for Actions and Payment for Results.

5.3 Leave No Trace

‘Leave No Trace is an Outdoor Ethics Education Programme designed to promote and inspire responsible outdoor recreation through education, research, and partnerships’. The idea of an ‘ethics’ programme is that there is an intrinsic knowledge about knowing what the right thing to do is. The Leave No Trace programme depends on this attitude and awareness rather than trying to enforce rules and regulations. The programme operates under 7 principles designed to minimise the social and environmental impacts left by people, litter, vegetation, wildlife and livestock disturbance and water pollution to areas of outdoor recreation. These principles to protect our natural and cultural heritage are;

- Plan ahead and prepare
- Be considerate of others
- Respect farm animals and wildlife
- Travel and camp on durable ground
- Leave what you find
- Dispose of waste properly
- Minimise the effects of fire

Leave No Trace Ireland promotes and inspires responsible outdoor recreation through education, research and partnerships. The programme strives to build awareness, appreciation and respect for Ireland's natural and cultural heritage and is dedicated to creating a nationally recognised and accepted outdoor ethic that promotes personal responsibility. It encourages all outdoor enthusiasts to do their part to maintain those lands used by the public for the benefit of the environment and for future generations.

The Leave No Trace message has been adopted by many organisations from Government Departments, State Agencies, National Governing Bodies of Sport, education and training organisations and range of tourism businesses. It is this broad adoption and promotion that gives the message its strength, together with the fact that the principles are all positive in nature and based on sound science.

PART 2

The Project So Far

6 Work to date on the Burren and Cliffs of Moher Geopark Project

The Geopark LIFE Project aims to strengthen the integration of tourism and natural heritage, reconciling tourism development with conservation of biodiversity and cultural heritage in the Burren region. The project is an important development in the progression of work carried out in the Burren in areas such as farming for conservation through Burren Life (a very successful EU LIFE biodiversity project), sustainable tourism models through the Burren Connect and Burren Ecotourism Network partnership with a focus on collaborative landscape management.

The Burren Geopark is a complex area, with very sensitive issues embracing landscape, history, geology and archaeology. Because of this complexity, no single organisation can contain all the requirements, so the project demands a multi-organisation and partnership approach, with each agency bringing its own special inputs. However, with the multitude of organisations comes the multitude of policy attached to them. For operational purposes the project operates through three working components, B1, B2 and B3. Working through these actions, the policies outlined in this report come into play and the overall objective is to make an assessment of how well these policies work on the ground, identify policy conflicts and propose reconciliations.

6.1 Policy Review

This report has been the initial stage of work which aims to assess the various legislative frameworks, policies and best practices being adhered to in the Geopark region. In order to do this, a desktop study was undertaken to look at the range of policies from European level down to local initiatives which are encountered in day-to-day life in the Burren. This document has attempted to put the findings into text, with the contingency that there may be policy included here that is not consciously used and also the author does not commit to having addressed all policy implications as it is believed that this is an evolving and dynamic aspect of the project. It is anticipated that work on the ground, together with partner interviews will help to complete this review.

The policy aspect of the programme for B3 will rely largely on case studies and work on the ground to inform the effectiveness of policy implementation. There are already active project components which are demonstrating the difficulty of policy application, for example when trying to engage in community involvement in conservation management.

6.2 Case studies and the policy perspective

As a vehicle to developing this policy aspect further, we propose to focus on a series of case studies as examples of transferable good practice:

<i>User Group</i>	<i>Approach</i>	<i>Actions</i>	<i>Outcomes</i>
Tourism Enterprises	Code of Practice;	Adopt a 'Hedgerow' 'Meithel' (cooperative	Manual

		approach along routes)	Best Practice Guides Case studies
Burren Conservation Volunteers	Training and development	Actions at Demonstration sites	Operational manual and tool kits Recording, reporting and response system
Landowners	Strengthening links between tourism businesses and landowners;	Information and awareness of rights and responsibilities, legislation Adopt a Monument Linkages to Community Projects	Practical training programme and facilitation.
Tidy Towns groups	Engaging tidy town groups with appropriate conservation activities	Case study with Ballyvaughan	Practical Tool Kit Guidelines
Local conservation groups	Skills training and monitoring around methodologies,	Pilot with Kilinaboy and 'An Cabhail Mor' (This becomes a demonstration site)	Trained personnel in traditional building skills; Add to demonstration sites
Local tourism development groups	Developing a programme of research and information provision on key aspects of the Burren;	Case study with Lisdoonvarna Secondary School and Lisdoonvarna Failte	Schools programme, Exhibition and information leaflets
All stakeholders	Mapping current policies that impact on partners and programme and how they are managed locally	Pilot exercises to address the interfaces	Recommendations based on pilot/case studies

6.3 Policy Interviews

In tandem with the work on the ground, this project has allowed a comprehensive analysis of the policies in operation (regionally and nationally). Along with this mapping report, other initial tasks have been to conduct a number of interviews with project partners, stakeholders and key personnel on the ground in order to get a sense of policy in action in the work and lives of the people in the Burren. The interviewees include personnel from the following groups/agencies:

- Department of Arts, Heritage and Gaeltacht
- Clare County Council
- National Monuments Service
- National Parks and Wildlife Service
- Failte Ireland
- Office of Public Works
- Farming Community
- Local Historical Group
- Burren Ecotourism Network

These interviews are approximately 50% complete and have already provided some insightful ideas. The results from a recent symposium of the European Archaeological Council (EAC) in Amersfort, looking at the theme ‘Setting the Agenda: Giving New Meaning to European Archaeological Heritage’, demonstrated the need for transparency when it comes to choices being made in the archaeological heritage management process. These choices also need to be communicated and explained (Schut *et. al.*, 2015). This notion of better communication and education around why certain choices are made, particularly to the community, is something that is coming through in the interview process. It is anticipated that the interviews with partners/agencies will contribute greatly to identifying:

- the level of understanding between and within agencies about the work of their colleagues
- what are the policy conflicts/frictions are between agencies as they are encountered in everyday work/life
- how policy conflicts can be resolved and what level this needs to happen at.

The second phase in this work on policy will see completion of these interviews and begin to report on the real and perceived policy conflicts. Then it is hoped we will improve collaboration within the heritage sector, as also identified in the Amersfort Agenda (Schut *et. al.*, 2015) by developing networks at local and regional level.

6.3.1 Appendix: Questions for Policy Interviews

Sustainable Tourism and Conservation Management:

Questions for interviews:

1. What is your area of responsibility/work in relation to tourism and/or conservation management?
2. What is your role as a partner in the Burren and Cliffs of Moher Geopark Life Project?

3. What are the main legislative/policy drivers that direct/guide/impact on your work and longer-term strategy/objectives?
4. What are the major policy constraints you face in achieving success in achieving work objectives?
5. Are other partners on the project as aware of these legislative instruments/policy drivers as they should be?
6. Are sustainable tourism and conservation management achievable on the ground?
7. Can you identify areas/examples where there are potential policy conflicts between different interests (sustainable tourism/conservation management/other) or perspectives in the Life Project.
 - Give examples of policy confusion/conflict
 - Was the confusion/conflict resolved?
8. How are such issues best resolved?
 - Negotiation?
 - Policy changes (Local/national/European)
 - Accept status quo – do nothing
9. From your perspective what are the most significant elements of the Burren and Cliffs of Moher Geopark Life Project in achieving policy objectives-
 - strengthening the integration of tourism and heritage
 - promoting the development of sustainable, responsible and high-quality tourism
 - B1 (BEN), B2 (Demonstration Sites), B3 (Conservation Management/Community Support/Policy Review)

7 Conclusion

In terms of economic growth, the value of heritage to Irish tourism is of enormous importance. Tourism is one of the most sustainable and powerful of Ireland's economic sectors. By 2025 it is estimated that more than 10 million overseas visitors will generate some €5.5 billion in revenue. So why do people come to Ireland? They come for the people and the place, prizing the beautiful landscape, the wealth of heritage and the authentic culture. All of this needs investment and work to help it to become accessible and also ensure its survival into the future.

The Burren Geopark is a complex area, with very sensitive issues embracing landscape, history, geology and archaeology. Because of this complexity, no single organisation can contain all the requirements, so the project demands a multi-organisation and partnership approach, with each agency bringing its own special inputs. However, with the multitude of organisations comes the multitude of policy attached to them.

Policy is also dynamic, changing and adapting to our needs. We have moved in recent years to creating strategic plans and policies with long-term objectives which consider not only our current but also our future needs (up to 10 years). Policy gaps are regularly identified and new policy is proposed to fill these gaps, such as the proposed Urban Policy proposal by the Heritage Council as part of the new National Planning Framework identified above.

Through the mapping process in this report it has become clear that there is no shortage of policy implications for the Geopark project, in fact there is a huge raft of legislation, policy and best practice which needs to be met as part of our work. The challenge now lies in the ability to recognise policy applicability and align a number of policy instruments at every turn as we work through case studies.

There is a large degree of inter-connectivity between many of these policy instruments with a good deal of overlap. Communication and cooperation are the key to understanding these and implement them successfully. There are some occasions where policy instruments are at two ends of a wide spectrum.

The range and diversity of the project partners in this project ensures that there is an opportunity to examine the range of national (and more local) policies that will impact on sustainable tourism. The B2 demonstration sites provide the opportunity to examine the operation of relevant policies on the ground, potential conflicts between them and foci to engage with project partners in thinking about achievable means of resolving policy conflicts. The B3 community element of the project will see how we bridge the gap between agencies and communities to work together towards dedicated conservation of the Burren.

A recent symposium of the European Archaeological Council (EAC) looked at the theme 'Setting the Agenda: Giving New Meaning to European Archaeological Heritage'. This symposium produced some very interesting outcomes with an aim to formulate a strategic agenda to meet the current challenges facing archaeological heritage management in Europe. It concluded that we should not only encourage the involvement of society in archaeology, but also specifically put efforts into embedding archaeology in society by monitoring changing trends and forging connections with other

policy domains (Schut *et. al.*, 2015). This societal involvement needs to be stimulated and facilitated. Cultural Heritage needs to be mainstreamed into other policy domains and linked to society's challenges.

8 References

- Baker, C. 2013. *Revisiting Fingal's Monuments*. Fingal County Council.
- Buckley, L.A., Murphy, E., and Donnabhain, B., 1999. *Irish Association for Professional Archaeologists Technical Paper No. 1: The Treatment of Human Remains*. Dublin:IAPA.
- Casey, J., & O'Rourke, F. (2013). *Tourism Policy In Ireland, Time for Structural Change?* Dublin:. Dublin Economics Workshop.
- CEDRA, 2014. *Energising Ireland's Rural Economy*.
- Clare Heritage Forum, 2011. *Clare County Heritage Plan 2011-2017*.
- COUNCIL OF EUROPE, 1992. *European Convention on the Protection of the Archaeological Heritage (Revised)*. Strasbourg: Council of Europe (European Treaty Series 143).
- Department of Arts, Heritage, Gaeltacht and the Islands, 1999. *Framework and Principles for the Protection of the Archaeological Heritage*. Dublin: Stationery Office.
- Department of Arts, Heritage, Gaeltacht and the Islands, 1999. *Policy And Guidelines on Archaeological Excavation*. Dublin : Stationery Office.
- Department of the Environment, Heritage and Local Government, 2009. *Appropriate Assessment of Plans and Projects in Ireland; Guidance for Planning Authorities*.
- Department of Environment, Community and Local Government, 2015. *Public Consultation Document: Significant Water Management Issues in Ireland*.
- Department of Transport, Tourism and Sport, 2015. *People Place and Policy – Growing Tourism to 2025*. Dublin : Stationery Office.
- Dunford, B, 2001. *Farming and the Burren*. Teagasc.
- European Commission, 2000. *Managing Natura 2000 sites :The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. Luxembourg: Office for Official Publications of the European Communities.
- European Commission, 2002. *Assessment of plans and projects significantly affecting Natura 2000 sites*. Luxembourg: Office for Official Publications of the European Communities.
- European Commission, 2006. *Nature and Biodiversity Cases: Ruling of the European Court of Justice*.
- European Commission, 2014. *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions; Towards an Integrated Approach to Cultural Heritage for Europe*. Brussels: European Commission.
- European Commission, 2014. *Mapping of Cultural Heritage Actions in European Union Policies, Programmes and Activities*. Brussels: European Commission.

- Flanagan, Dr. S. et al, 2004. *Sustainable Tourism Development: Towards the Mitigation of Tourism Destination Impacts*. Prepared for the Environmental Protection Agency by Dublin Institute of Technology.
- Geological Survey of Ireland, 2009. *Geoscience, Towards a Smarter Economy: The potential economic impact of Geoscience up to 2020*. Department of Communications, Energy and Natural Resources.
- Gildea, C. and Hanrahan, Dr. J., 2010. *The Sustainable Management of Tourist Attractions in Ireland With A Focus on Cost Savings*. Sligo IT.
- Government Publication. *National Spatial Strategy for Ireland 2002 – 2020; People, Places and Potential*. Dublin: Stationery Office.
- Guidelines for the Protection of Biodiversity*. Notice Nature for Fáilte Ireland
- Heritage Council, 1999. *Heritage Council's Policy Paper on: Agriculture and Natural Heritage*. Kilkenny : Heritage Council.
- Heritage Council, 1999. *Policy Paper on The Role of the Heritage Council in the Planning Process*. Kilkenny : Heritage Council.
- Heritage Council, 1999. *Policy Paper on Urban Archaeology and The National Heritage*. Kilkenny : Heritage Council.
- Heritage Council 2000. *ARCHAEOLOGY & DEVELOPMENT: GUIDELINES FOR GOOD PRACTICE FOR DEVELOPERS*. Kilkenny : Heritage Council.
- Heritage Council, 2000. *Policy Paper on Heritage Awareness in Ireland*. Kilkenny : Heritage Council.
- Heritage Council, 2002. *Policy Paper on Irelands Landscape and the National Heritage*. Kilkenny : Heritage Council.
- Heritage Council, 2015. *Policy Developments and Proposals – National Planning Programme Update. Report to Council 18th June 2015*.
- Heritage Council, 2015. *Report on Policy Proposals for Ireland's Towns*. Kilkenny, Heritage Council.
- Klara Brand, Environmental Agency Austria, 2011. *Sustainable Tourism and Nature Conservation: An Investment in Our Future*. SURF Nature (Sustainable Use for Regional Funds for Nature) European Commission.
- Lambrick, G. and Doyle, I.W. *Review of Archaeological Assessment and Monitoring Procedures in Ireland, 2000*
- Lambrick, G. and Spandl, K. *Urban Archaeological Practice in Ireland, 2000*

Leave No Trace, 2006. Ireland Leave No Trace, Outdoor Ethics; Promoting and Inspiring Responsible Outdoor Recreation Through Education, Research and Partnerships. Leave No Trace Centre for Outdoor Ethics.

Lehane, M. and O’Leary, B. (ed.) 2012. *Ireland’s Environment; An Assessment*. Wexford: Environmental Protection Agency.

Limerick Chamber, 2013. *Tourism Policy for Ireland*. Limerick Chamber.

OCED, 2004. *National Tourism Policy Review of Ireland*. Organisation for Economic Cooperation and Development.

Programme for Government: Annual Report 2014. Government for National Recover 2011-2016.

Schut, P., Scharff, D. and de Wit, L. (ed.), 2015. Amersfoort Agenda – Setting the agenda for the future of archaeological heritage management in Europe. In *EAC Occasional paper 10, Setting the Agenda: Giving New Meaning to the European Archaeological Heritage*. Budapest.

Shannon IRBD Project, 2010. *Water Matter: Our Plan. Shannon River Basin Management Plan (2009-2015)*.

STATUTORY INSTRUMENTS. S.I. No. 350, 2014. *EUROPEAN UNION (WATER POLICY) REGULATIONS 2014*.

UNEP & WTO, 2005. *Making Tourism More Sustainable: A Guide For Policy Makers*. Unite Nations Environmental Programme and World Tourism Organisation.

Willems, 2007. The Work of Making Malta: The Council of Europe’s Archaeology and Planning Committee 1988–1996 in *European Journal of Archaeology, Volume: 10, Issue: 1*. pp. 57 – 71. Sagepub.com.

World Commission on Environment and Development, 1987. *Our Common Future*. Oxford University Press.

World Heritage Convention, 2015. *UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION: CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE. WORLD HERITAGE COMMITTEE Thirty-ninth session*.

List of Web References:

<http://www.ahg.gov.ie/en/Heritage/>

<http://www.ahg.gov.ie/en/Publications/HeritagePublications/ArchitecturalPolicyPublications/#d.en.15694>

[http://www.ahg.gov.ie/en/Publications/HeritagePublications/BuiltHeritagePolicyPublications/Architectural%20Heritage%20Protection%20Guidelines%20\(2011\).pdf](http://www.ahg.gov.ie/en/Publications/HeritagePublications/BuiltHeritagePolicyPublications/Architectural%20Heritage%20Protection%20Guidelines%20(2011).pdf)

<http://www.antisce.org/environment>

www.archaeology.ie

<http://www.archaeology.ie/CodesofPractice/>

<http://www.burren.ie/the-geopark/about-burren-ecotourism/>

<http://www.burrengeopark.ie/wp-content/uploads/2013/04/GeoparkLIFE-B.E.N.-Support-Programme-2013-14.pdf>

<http://www.burrenbeo.com/>

<http://www.charts-interreg4c.eu/good-practices/accessibility-to-heritage/>

www.clarecoco.ie

<http://www.clarecoco.ie/planning/publications/north-clare-local-area-plan-2011-2017-volume-2-strategic-environmental-assessment-environmental-report-9395.pdf>

http://www.coe.int/t/dg4/cultureheritage/heritage/Identities/default_en.asp

<http://www.dttas.ie/>

http://www.dttas.ie/publications?field_sector_tid=6&keys=&items_per_page=10

ec.europa.eu/culture/library/reports/2014-heritage-mapping_en.pdf

http://ec.europa.eu/culture/policy/culture-policies/cultural-heritage_en.htm

http://ec.europa.eu/environment/water/water-framework/pdf/3rd_report/CWD-2012-379_EN-Vol3_IE.pdf

http://ec.europa.eu/programmes/creative-europe/index_en.htm

<http://www.eea.europa.eu/themes/policy/publications>

www.environ.ie

www.envirocentre.ie

www.epa.ie

www.failteireland.ie

<http://www.failteireland.ie/Best-Practice-Case-Studies/Category-2/The-Boyne-Valley.aspx>

<http://www.fingalcoco.ie/media/Revisiting%20Fingals%20Monuments%20FMA%202013.pdf>

<http://www.gsi.ie/NR/rdonlyres/775E362A-7CDF-48D0-A8F3-6B9E0B38F27F/0/2010HighlightsEnglish.pdf>

www.heritagecouncil.ie

http://www.heritagecouncil.ie/fileadmin/user_upload/Publications/Archaeology/Guidelines_for_Good_Practices_for_Developers.pdf

<http://www.heritageweek.ie/>

<http://icrt.ie/advice/policy-makers/>

www.international.icomos.org

www.irishstatutebook.ie

http://files.nesc.ie/nesc_background_papers/NESC_122g_bg_paper_5.pdf

www.opw.ie

<http://www.opw.ie/en/floodriskmanagement/>

www.teagasc.ie/environment/cross.../good_farming_practice.asp

http://www.tidytowns.ie/u_documents/2010%20TidyTowns%20Handbook.pdf

<http://www.ul.ie/business/departments/economics/research/nctps/publications>