

Longford County Council

Aughnacliffe Amenity Trail

Permissive Access & Accommodation Works Agreement

Name of Proposed Project:

Works to Aughnacliffe Heritage & Amenity Trail, Co. Longford.

Landowner:

Philip Brady

Townland of Proposed Works:

Dunbeggan

Attached Map Ref Number _____

Landowner Permission / Consent (Permissive Access)

Permissive access entails people being allowed to use with the agreement of the landowner. Permissive access differs from a public right of way in that No permanent rights of way will be created.

As evidence of the permissive nature of access to the public, the route will be closed for one day 21st February every year.

Permissive access can only be used in the way the land owner has specified and subject to any conditions he or she has agreed.

National Footpaths and Cycle paths – Public Liability Indemnity Insurance Scheme

On all recreational trails, the owners and occupiers of private property crossed by the trail must be indemnified against any claims involving bodily injury and / or property damage sustained by persons whilst on landowners lands for recreational or leisure activities connected with designated recreational trails.

In the case of designated /approved Footpaths and Cycle paths in Co. Longford this indemnity is provided by Longford County Council through a policy administered by Irish Public Bodies Mutual Insurance Ltd. **(Policy No. T.B.C.)**

Cover under this policy is extended to provide an indemnity to landowners in respect of legal liability arising from claims involving personal injury and/or property damage sustained by persons whilst on landowners land for recreational or leisure activities connected with the designated recreational trails.

The term "*recreational or leisure activities*" shall specifically exclude hunting as defined by the Wildlife Act 1976.

The limit of indemnity provided for any one accident is €6.5 million inclusive of all damages, costs and legal expenses.

As such, the policy extends to all landowners whose lands either cross or adjoin the designated trail. The indemnity is valid whether the user is actually on the trail or has strayed off it.

The owner / occupier of any private property is further protected by the provisions of the Occupiers Liability Act 1995. A person using a trail is classified as a recreational user. Under the Act, the duty of care to a recreational user is the same as to a trespasser and is extremely limited. The owner or occupier should not intentionally injure persons or damage their property, or act "with reckless disregard" for their safety.

AGREEMENT

I Philip Brady of Cornadung. hereby agree to allow personnel using the Footpath/Cycle path to Aughrancliffe Amenity Trail, Co. Longford, to traverse the marked trail on a permissive access basis only. I expect that users will adhere to the Leave No Trace principles / Country Code.

Conditions:

- The Permissive access includes walkers, cyclists and joggers only
- The Council shall indemnify me in respect of legal liability arising from claims involving personal injury and/or property damage sustained by persons whilst on my land for recreational or leisure activities connected with the upgrade works to the The Council will cover the costs of all accommodation works associated with the development described below:

Accommodation Works

Gates
Solar Powered Drinker both fields

Landowner Signature: Philip Brady

Signed: _____
(On behalf of Local authority)

Date: _____