

This guide helps landowners, land managers and rewilding practitioners decide whether access to private land can be allowed, restricted or conditioned. Use together with the full legal guidance note.

KEY TAKEAWAY

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Private land can usually be closed to the public, but not always. Check rights first, make any access position clear and manage liability risks. If access is restricted, make the restriction visible and do not block existing rights.

ITALY

STEPS

1

CHECK LEGAL STATUS

2

IF THE LAND IS PRIVATE AND NO EXCEPTION APPLIES

3

IF YOU WANT TO ALLOW PUBLIC ACCESS

4

IF YOU WANT TO RESTRICT PUBLIC ACCESS

5

WATCH FOR THIRD-PARTY RIGHTS

NOTES

- Is the land private, public, landscape/heritage, subject to *usi civici*, subject to a public easement or other state right of access, subject to an easement such as the right of way, managed under a lease, management agreement or other contract?
- If you manage but do not own the land, check your agreement with the landowner before allowing or forbidding access, granting access rights, erecting fences or putting up signs.
- The ability to allow or forbid access may depend on the terms of the agreement with the landowner.

- The landowner can usually decide who enters the land and on what conditions, including closing land, allowing access to specific people, or limiting access by paths, areas, times, or seasons.
- Sensitive areas may be temporarily closed, for example during breeding season or for public-safety reasons.

- Make the access conditions clear and visible.
- Use signage to explain:
 - whether access is allowed (and during what periods)
 - where people may go
 - whether dogs are allowed and on what terms
 - whether visitors must stay on paths
 - whether fires, camping or other activities are prohibited
- Consider seasonal or temporary closures.
- Undertake and keep up-to-date risk assessments.
- Maintain third-party insurance that specifically covers public access.
- Seek legal advice if faced with a liability claim.

- Check first whether any access right or exception applies.
- Use clear signage at entry points.
- Consider walls, fences or other physical barriers where appropriate.
- Clearly mark boundaries.
- Do not block existing easements or rights of way.
- If signs or fences are to be placed outside the property boundary, check whether municipal authorisation is needed.
- If you manage but do not own the land, obtain the landowner's consent before erecting walls, fences or signage unless your agreement already gives you that right.
- There is no general obligation to erect fencing or signage but it is recommended to make it clear that land is not openly accessible because people may otherwise assume that access is permitted.

- Take particular care if the land is subject to: state rights over private land; public easements; access for public water or wastewater infrastructure; *usi civici*; landscape or heritage designation; existing rights of way or grazing rights; rights to recover property, animals or bees; hunting rights.
- These rights may limit the landowner's ability to exclude people completely.
- Some third parties may have access rights even where private land is generally closed, including for repair/recovery of property, hunting, beekeeping and easements.

Important: The general rule in Italy is that there is no public right of access to privately owned land. However, important exceptions apply. Before allowing or restricting access, check whether the land is subject to public access rights, public-law restrictions, civic uses, easements, landscape/heritage designation, or contractual limits.