



Department for Environment Food & Rural Affairs

The Rt Hon Lord Benyon
Parliamentary Under Secretary of State

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Mr Michael Bartholomew
Chairman, The Green Lanes Environmental Action
Movement (GLEAM)
By email: bartholomew656@btinternet.com

August 2022

Dear Michael,

After carefully weighing up all the available options, stakeholder views and legal assessment, and taking into account the conclusions of the public consultation, we are proposing to take action to safeguard green lanes for the benefit of all their users. We have listened to the views of those affected and are aware that many people feel very strongly about the protection of green lanes, but have also identified issues with removing existing rights.

A legislative change in this area would, at present, present difficulties through a lack of parliamentary time. We have therefore agreed at this stage to implement non-legislative solutions. We will legislate in future if these proposed solutions prove inadequate. Whilst restricting the use of motor vehicles on unsealed routes has some benefits, unintended consequences, such as restricting access for certain groups have been identified. The complexity of these routes also means considerable scoping work is required in order to pass the relevant parliamentary checks on new legislation, significantly delaying the implementation of any improvements.

Our legal advice indicates that the current TRO process is legally robust enough to permit authorities to implement TROs to protect green lanes, but there are significant issues with the risk of litigation and evidential requirements of TRO applications. Therefore, we are proposing to rewrite the guidance in order to allow the mechanism for protecting green lanes to be easier to use and empower highways authorities to implement TROs effectively. We will also be working with National Park Authorities to ensure they fully understand the powers they have and the need to protect access for foot and other users in these special landscapes.

We will identify those routes which carry vehicular rights but are unsustainable for vehicular use and gain collaborative agreement that TROs on these most vulnerable routes will not be contested by the vehicle user groups, and identify in exchange those routes which are suitable for vehicular use and can be digitally signposted. We will also identify routes which overall may tolerate vehicular traffic well, but need management to protect them from potential damage, e.g. through seasonal or permit TROs. This will be further supported by a refresh of the existing TRO guidance, to empower highway authorities to implement TROs most effectively.

This package of measures will not only be most effective for our overall policy objective of increasing access for all, but will also see more immediate results in protecting the most vulnerable routes from harm. I appreciate your time and input so far. We will certainly need your help to develop this policy and look forward to working with you to implement the reforms.

Yours sincerely,

A handwritten signature in blue ink that reads "Richard Benyon." The signature is fluid and cursive, with "Richard" on the top line and "Benyon." on the bottom line.

THE RT HON LORD BENYON