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12 June 2026

REF: CONSULTATION - Green Road BOAT & Letcombe Regis & West Challow BOAT (Letcombe Bassett/Regis & West Challow) Proposed Prohibition of Motor Vehicles & Carriages.

Dear Christian,

1. The Green Lane Association Limited (“the Association”) is a not-for-profit national membership organisation representing over representing over 30,000 individual and affiliated members. We advocate for the lawful and responsible use of the country’s ancient unsealed public roads and vehicular rights of way, and we work to promote inclusive countryside access for all, especially those who are underrepresented, disadvantaged, less mobile or disabled.
2. This submission sets out the Association’s formal objection to Oxfordshire County Council’s proposal to introduce Traffic Regulation Orders (“TROs” or “the Orders”) on two roads in Oxfordshire; a permanent TRO on Letcombe Regis/West Challow BOAT and a seasonal TRO on Green Road BOAT, Letcombe Bassett/West Challow (“the routes”). These routes are public

carriageways, designated as Byways Open to All Traffic (“BOATs”). The Order would prohibit the public from using all motor vehicles and horse drawn carriages wider than 1.6m/5’ 2”, permanently or seasonally accordingly, except for agricultural, emergency and maintenance access.

3. We recognise that the proposed Order engages a wide range of public interests, and that those interests may be held in tension. We understand that some stakeholders view motorised access as disruptive or environmentally harmful. Others see it as essential to inclusion, heritage and lawful public use. The Association does not seek to diminish any of these perspectives. We seek only to ensure that all lawful users are fairly represented, and that decisions affecting public rights are made transparently, proportionately and in accordance with statutory duty.
4. Recognising that elected members and officers may be unfamiliar with the individuals and groups most directly affected by the proposed Order, we respectfully invite review of our publication Inclusive Countryside Access, available at www.glass-uk.org/ica. It highlights how responsible access to unsealed rural roads contributes to mobility, wellbeing, and social inclusion across a diverse user base, including those whose access to the countryside depends on motorised transport due to disability, age, or rural isolation.
5. To further inform the Council’s decision-making, the Association invited feedback from its members. Their responses are compiled in Annex A. They offer invaluable insights into the practical and personal impact of the proposed Order and reaffirm a shared commitment to inclusive access, responsible conduct and constructive stewardship.
4. In support of this objection, the Association has undertaken detailed site surveys of both routes subject to the proposed Orders – see Annexes B1 and

B2. Each survey assesses route condition in accordance with the DEFRA *National Guidelines for the Management of Unsurfaced Unclassified Roads and Byways*, identifying the specific forms of distress present, their likely causes and the solutions recommended within national guidance. Each survey concludes with the Association's structured assessment of whether traffic regulation is justified in light of that evidence. These surveys are offered to assist the Council in evaluating the route's suitability for shared use, highlight recommended maintenance and management methods, and provide insight for assessing whether a range of suitable alternatives suggested in Section L, would benefit from reconsideration for lawful vehicle use.

5. This submission does not seek special treatment or oppose regulation. It seeks fair treatment and opposes exclusion without evidence. It does not claim perfection but lawful entitlement and a willingness to collaborate.
6. We invite the Council to consider this submission not as a challenge, but as a contribution. It is offered in the spirit of constructive engagement, and in support of a decision-making process that reflects the principles of public trust, lawful stewardship and inclusive access.

Section A
Our concerns

7. The Green Lane Association offers the following concerns in the spirit of constructive engagement. Drawing on our experience advising local authorities, contributing to national policy frameworks, working with the Police and delivering thousands of volunteer hours supporting councils across the green lane network, we recognise the challenges involved in managing public roads of this nature. We are not against regulation. We support regulation that is proportionate, evidence-led and inclusive; regulation that reflects the diversity of lawful users, the principles of public trust and where all reasonable alternatives have been properly considered.
8. The Green Lane Association objects to the proposed Traffic Regulation Orders on both routes on the grounds that they are flawed in evidential foundation, necessity and proportionality, and that they represent an unbalanced use of regulatory powers rather than a reasoned response to demonstrable, route-specific risk.
9. The framing within the Statement of Reasons and Supporting Statement for both routes appear to favour a specific outcome, which may inadvertently limit the scope for meaningful public scrutiny and input. To ensure full alignment with the Gunning Principles, we would welcome further evidence of how the Council has considered the views and needs of all stakeholders, including those of lawful motorised users.
10. We are concerned that the proposals appear to be based on the assumption that lawful four-wheeled vehicular use is inherently incompatible with these routes, despite them both being roads with vehicular rights and despite there

being several other cited factors that have impacted the routes.

11. We are also concerned by the reliance upon "soft maintenance" and low-intervention management techniques as a justification for restriction. The supporting statements repeatedly suggest that the routes can only be sustainably managed through minimal intervention, defining maintenance standards around the requirements of certain user groups only whilst simultaneously citing the resulting limitations as justification for excluding others.
12. With regard to the Letcombe Regis & West Challow road widths and sections of the road being 'extremely narrow', we would contest that measurements have been influenced by vegetation encroachment, maintenance history and natural deterioration over time. As such, the overall condition has deteriorated with some sections narrowing as a result. Under the Highways Act 1980, the duty to maintain is distinct from the power to restrict traffic; as such, national DEFRA guidance establishes that maintenance challenges should be addressed through repair rather than through the removal of established vehicular rights.
13. Narrow sections, by themselves, do not necessarily preclude lawful vehicular use, particularly where a secondary route and the full legal width of the highway are taken into account. Our site surveys (see Annex B1 & B2), suggest that width is not an issue on these routes if they are maintained adequately.
14. The condition of a highway and the regulation of traffic upon it are legally distinct matters. Maintenance duties arise under the Highways Act 1980. Traffic restriction powers arise under the Road Traffic Regulation Act 1984. A failure to maintain cannot lawfully be relied upon as justification for removing

established vehicular rights. Nor does the making of a TRO extinguish maintenance obligations. If deterioration is cited as justification for restriction, the Council must first demonstrate that the deterioration persists despite proper discharge of its statutory maintenance duties.

15. Taken together, these matters suggest that the difficulties identified by the Council may arise principally from maintenance and management choices rather than from the presence of lawful vehicular rights themselves, and if so, restriction of those rights may not represent the most proportionate response.
16. We are also mindful that both routes have remained subject to closure for much of the last seven years. Green Road has been closed since 2019 whilst repair and management works have been undertaken. The road at Letcombe Regis/West Challow has also been closed for most of the same period as far as we're aware. As a result, public motorised use has not taken place during most of the period over which route monitoring and assessment has occurred. This makes it difficult to see how the effects of future vehicular use have been reliably assessed and raises doubt as to whether the evidence currently relied upon provides a sound basis for permanent or seasonal restrictions.
17. The Association also notes that the proposed Orders would continue to permit use by agricultural, land management, emergency service and maintenance vehicles. We recognise the importance of retaining access for these purposes, however, as these vehicles are often larger, heavier and likely to use the routes throughout the year, including during wetter periods, it is unclear how the relative impacts of different vehicle types have been assessed and how the proposed Orders are expected to achieve the stated objectives whilst such use continues. This raises questions about the causal link of four-wheeled vehicles whether the proposal represents a balanced approach.

18. While the exploration of lower-impact and less exclusionary options has been noted in the documentation, no substantive evidence has been provided to demonstrate their viability or otherwise. Potential alternatives appear to have been dismissed largely by assertion or comparisons to other parts of the county rather than being measured on each route's own merits, specific characteristics, usage and landscape. We have outlined our suggestions for other, less-prohibitive measures that could be explored more comprehensively, appropriate to each individual route in Section L and within Annexes B1 & B2.
19. In addition to the above, the Association is troubled by the cumulative effect of traffic restrictions within Oxfordshire. The county already has a relatively limited network of BOATs available to motor vehicles (just 1.8% of the PROW network) - 10% of which already have prohibitive measures placed on them. The continued introduction of restrictions, whether permanent or seasonal, progressively erodes the remaining network and pushes a greater number of users onto a smaller number of legal routes, diminishing opportunities for lawful public access. The proposals do not appear to consider this wider context or the cumulative impact upon those users who rely upon the county's byway network for recreation, wellbeing, heritage and countryside access.
20. The removal of public rights, particularly those long exercised lawfully and responsibly, is a serious matter. It must not be driven by preference, perception or convenience. A Traffic Regulation Order represents the most severe restriction available to the Council, and its use must be justified under the Road Traffic Regulation Act 1984 by clear, proportionate and evidence-led reasoning.
21. Both of the proposed route restrictions affect public carriageways of longstanding provenance. These roads have served generations of lawful

users, including those whose access to the countryside depends on motorised transport due to disability, age or rural isolation. For these individuals, exclusion is not a matter of preference but of practicality and dignity. The omission of any supporting documentation makes it difficult for us to fully comment on the proposal and for the Council to reach a lawful and sustainable decision.

22. The Council must consider its duties under the Equality Act 2010, in particular, the risk of indirect discrimination against users who rely on vehicular access due to disability or mobility limitations. Blanket exclusion (permanent or seasonal) of particular user groups risks breaching these duties unless justified by proportionate evidence and reasonable alternatives.
23. Taken all together, these concerns suggest that further assessment and dialogue would be beneficial. A more detailed examination of evidence and alternatives may assist in identifying solutions that address the Council's concerns while maintaining inclusive access for all.
24. We therefore urge the Council to reconsider the proposed Order in light of these concerns and to engage with stakeholders in developing proportionate, evidence-led alternatives. The Association actively supports the principles of transparency and solution-focused dialogue. We remain committed to regulation that preserves access for all lawful users and reflects the historic and cultural value of these routes. Exclusionary measures, particularly blanket prohibitions, are rarely conducive to long-term compliance and often provoke avoidable tension. By contrast, inclusive, evidence-led strategies are more likely to command public support and deliver enduring stewardship.

Section B
**Proposed Order framing: maintenance
and management approach**

25. The proposed Orders appear to treat highway maintenance difficulties as justification for removing or restricting established vehicular rights.
26. For Green Road, the Supporting Statement notes that repair works have taken place during the seven-year TTRO closure period. It states that:
- “despite these works, experience has demonstrated that soft engineering solutions cannot withstand winter use by four-wheeled motor vehicles.”*
27. The supporting statements for both routes repeatedly rely upon the proposition that the routes can only be managed sustainably through low-intervention or “soft maintenance” techniques. The proposals then cite the limitations of that maintenance approach as justification for excluding certain classes of lawful user, which appears to reverse the legal relationship between maintenance and regulation.
28. The Association is concerned that this reasoning risks placing disproportionate weight upon the chosen management approach itself. If a route is maintained to a standard that is not intended to accommodate all classes of lawful traffic, it is unsurprising that restrictions are subsequently viewed as necessary.
29. The condition of a highway and the regulation of traffic upon it are distinct matters. Maintenance duties arise under the Highways Act 1980. Traffic restriction powers arise under the Road Traffic Regulation Act 1984. A failure to maintain a highway to an appropriate standard cannot lawfully be relied upon as justification for restricting established vehicular rights, nor does the

making of a TRO extinguish the Council's ongoing maintenance obligations.

30. The Association accepts that the Council is not required to maintain these routes to the standard of an ordinary metalled road as suggested in point 4 of the Supporting Statement for Green Road – after all, the very nature of a ‘green road’ is what green laners enjoy. However, a Byway Open to All Traffic remains a public highway carrying vehicular rights, and its management should therefore have regard to the legitimate needs of all users who are legally entitled to use it, including motor vehicle users.
31. In relation to the Letcombe Regis and West Challow route, the supporting documents repeatedly refer to sections of the route as “extremely narrow”. However, our site surveys suggest that much of this narrowing is attributable to vegetation encroachment, maintenance history and natural deterioration over time rather than any inherent incompatibility with vehicular use. Width measurements influenced by avoidable encroachment cannot properly be relied upon as evidence that lawful vehicular rights are unsuitable.
32. National DEFRA guidance recognises that maintenance issues should ordinarily be addressed through repair and management rather than through the removal of established vehicular rights. DEFRA’s Rights of Way Circular (1/09) remains the principal Government policy document for managing the Public Rights of Way network. Section 6.5 of the Circular states:

Maintenance should be such that ways are capable of meeting the use that is made of them by ordinary traffic at all times of the year. Under appropriate circumstances this might require the importation and application of suitable hard materials. Maintenance need not conform to an arbitrary standard of construction or appearance, but it should harmonise with the general

appearance and character of the surroundings. Guidance has been issued on best practice in the maintenance of byways.

This guidance affirms a simple but vital principle: maintenance must reflect actual use, not an arbitrary standard.

While the supporting statement for Green Road mentions having 'regard' for DEFRA's guidance, it is unclear how this has been incorporated into the Council's assessments.

33. Our site surveys indicate that the available width and alignment of both routes are capable of accommodating lawful vehicular use if appropriate maintenance standards are applied.
34. Accordingly, before relying upon route deterioration as justification for restriction, the Council must first demonstrate that the difficulties identified persist despite the proper discharge of its maintenance responsibilities. From the consultation documents supplied, it is difficult to understand how this has been addressed.
35. The Association therefore submits that the evidence suggests the difficulties identified in the proposals arise principally from maintenance and management choices rather than from the existence of lawful vehicular rights themselves, leading to questions over whether the proposals represent the most proportionate response.

Maintenance - In relation to Letcombe Regis/West Challow

Route width

36. The Supporting Statement for this route places considerable emphasis on its physical characteristics, in particular, its width, topography and the presence

of established vegetation. The Association accepts that these are relevant considerations. However, it is not immediately apparent how the current condition of the route has been distinguished from the underlying legal and physical characteristics of the highway itself.

37. Our site survey (Annex B2) identified a number of locations where vegetation encroachment appears to have reduced the usable width of the route. In several places, the available width appears to have been influenced by maintenance history rather than any inherent limitation of the highway.
38. The Supporting Statement describes parts of the route as being "very narrow" and references constraints associated with the lower alignment. However, the route functions as a two-tier highway and, when considered in its entirety, provides substantially greater available width than is suggested by isolated constrained sections.
39. Measurements recorded during our survey indicate that much of the route substantially exceeds the dimensions referenced within the Supporting Statement. Whilst there are localised pinch points, these are generally associated with vegetation growth and maintenance considerations rather than permanent physical constraints.
40. If the Council considers that inherent geometric characteristics render this route unsuitable for four-wheeled vehicles irrespective of maintenance, it should disclose:
 - Measured carriageway widths at constrained points;
 - Evidence of recorded conflict incidents at those points;
 - Swept-path or passing-place analysis;
 - Assessment of visibility and sight lines;

- Consideration of one-way designation as an alternative.

A technical evaluation - including measured carriageway widths and swept-path analysis - would provide a more objective basis for assessing whether narrowness necessitates a full prohibition.

41. Without this supporting documentation, it is difficult to understand the basis upon which the route has been assessed as being inherently unsuitable for four-wheeled vehicles, particularly when the wider highway corridor and secondary alignment are taken into account.

Drainage and surface constraints

42. The Supporting Statement identifies drainage as a significant factor affecting the condition of the route. The Association does not dispute that drainage presents an ongoing management challenge. However, it is unclear how the proposed restriction would address the underlying drainage characteristics of the route, which appear likely to remain irrespective of whether public four-wheeled vehicular use continues.
43. The route has reportedly experienced drainage-related difficulties throughout the period during which public four-wheeled vehicles have largely been absent. This raises questions around the extent to which current condition issues are attributable to lawful vehicular use as opposed to wider environmental, topographical and maintenance factors.
44. Our site survey identified several locations where vegetation encroachment, restricted air flow and shading appear likely to contribute to surface conditions. Whilst we do not suggest these factors provide a complete explanation, they represent relevant considerations when assessing the long-term management of the route.

45. Section L below explores options to mitigate drainage and surface constraints noted in the proposals which would enable both routes to remain open to all users.

46. It is therefore difficult to conclude that the proposed restriction addresses the root cause of the issues identified, or that it represents the most appropriate long-term management response.

Section C
Causation

47. The Association is concerned that the evidence presented does not demonstrate that lawful four-wheeled vehicular use is either the sole cause, or predominant cause, of the difficulties identified on these routes.
48. Both proposals proceed on the basis that restricting public motor vehicle access will prevent future deterioration, improve safety and secure long-term sustainability. However, the consultation documents provide limited evidence demonstrating that lawful public vehicular use is responsible for the current condition of the routes, particularly when several other contributing factors have been identified.
49. The Association notes that both routes have been subject to prolonged closure for much of the last seven years. Green Road has been closed since 2019 whilst repair and management works have been undertaken. The Letcombe Regis and West Challow route also appears to have remained subject to closure for most of the same period. As a result, lawful public motorised use has not taken place during much of the period over which route condition, management requirements and future restrictions have been assessed.
50. In these circumstances, it is difficult to understand how the effects of future lawful vehicular use have been reliably evaluated. The evidence presented does not appear to distinguish between historic deterioration, ongoing natural processes, drainage constraints, maintenance history, agricultural activity, maintenance traffic, or the effects of any future lawful recreational vehicular use. Without such analysis, the basis upon which future restrictions are

considered necessary is unclear.

51. The Association further notes that both proposed Orders would continue to permit use by agricultural, land management, emergency service and maintenance vehicles. Whilst we recognise the necessity of preserving access for these purposes, such vehicles are often larger, heavier and more likely to use the routes throughout the year, including during periods when the routes are most vulnerable to deterioration.
52. The consultation documents do not explain how the relative impacts of these different classes of vehicle have been assessed, nor how the proposed restrictions are expected to achieve their stated objectives whilst such use continues. In the absence of that assessment, it is difficult to conclude that the identified problems arise principally from the category of user targeted by the proposed Orders.
53. With no clear causal link between lawful public vehicular use and the difficulties relied upon in support of the proposed restrictions, the necessity of the proposed Orders remains open to question.

Section D

Necessity & proportionality

54. The Association is concerned that the proposals do not demonstrate the least restrictive or most proportionate means of achieving the Council's stated objectives.
55. A Traffic Regulation Order is one of the most restrictive measures available to a highway authority. Whilst Parliament has provided such powers for circumstances where they are genuinely necessary, their use should ordinarily follow a robust assessment of whether the identified concerns can be addressed through less restrictive means.
56. While the consultation documents acknowledge that alternative approaches have been considered, the assessment presented appears limited and largely reliant upon general assertions rather than route-specific evidence. In several instances, alternatives are dismissed without any detailed analysis of their likely effectiveness, practicality, cost or proportionality when compared to the proposed restrictions.
57. We are concerned that the supporting documents proceed directly from the identification of route management challenges to the conclusion that traffic restrictions are required, without adequately demonstrating why other management measures would be insufficient. Whilst some alternatives are briefly referenced, there is little evidence of a structured comparative assessment showing why those alternatives have been discounted.
58. Our site surveys identify a range of potential management, maintenance and operational measures capable of addressing the concerns raised whilst preserving lawful public access. These include measures tailored to the

individual characteristics of each route and informed by DEFRA's national guidance on the management of unsurfaced roads and byways. Whether or not the Council ultimately agrees with those recommendations, their existence demonstrates that reasonable alternatives remain available for consideration.

59. The Association is also concerned that the proposals place considerable reliance upon broad policy objectives relating to route management, landscape protection and user amenity without clearly demonstrating why the exclusion of lawful vehicular users is necessary to achieve those objectives in the circumstances of these specific routes.
60. The Council is required under Section 122 of the Road Traffic Regulation Act 1984 to exercise its functions so as to secure the expeditious, convenient and safe movement of traffic whilst balancing a range of competing considerations. That balancing exercise requires careful consideration of the interests of all lawful users and should not begin from the assumption that restriction is the preferred outcome.
61. As such it remains unclear from the consultation material that the proposed Orders are necessary, nor that less restrictive alternatives have been properly evaluated and discounted.
62. Taken together, these matters raise questions regarding whether sufficient weight has been given to the interests of all lawful users and whether the proposed restrictions represent the most proportionate means of achieving the stated objectives.

Section E

Balance within the assessment

63. The Association is concerned that the consultation material appears to have been prepared from the assumption that restricting lawful vehicular use is the appropriate solution, rather than evidencing why such restrictions are necessary.
64. The Statement of Reasons and Supporting Statements for both routes place considerable emphasis upon the perceived disadvantages of vehicular use whilst giving comparatively limited consideration to the interests, needs and legitimate expectations of those users who currently enjoy lawful rights to use these highways.
65. Both routes are recorded public carriageways carrying established vehicular rights. As such, the continued use of motor vehicles should not be an exceptional activity requiring justification, but a lawful use which Parliament has recognised and protected. Any proposal to restrict those rights should therefore be supported by clear evidence demonstrating why exclusion is necessary in the particular circumstances of the case.
66. We are concerned that several conclusions presented within the supporting documentation appear to be assumed rather than demonstrated. For example, the consultation material repeatedly presents vehicular use as incompatible with the long-term management objectives for the routes, despite limited evidence demonstrating that lawful vehicular use is responsible for the difficulties identified or that less restrictive alternatives would be ineffective.
67. We are also concerned that the documentation gives limited consideration to the benefits associated with continued vehicular access, including heritage

value, recreational use, inclusive countryside access and the interests of those individuals whose ability to access remote parts of the countryside depends upon motorised transport.

68. Whilst we recognise that the Council must balance a range of competing interests when considering whether a Traffic Regulation Order is justified, a balanced assessment requires both the advantages and disadvantages of all available options to be examined objectively and transparently. From the consultation material provided, it is difficult to understand how the interests of all lawful users have been weighed within that exercise.

69. We therefore have concerns about the starting point in which the consultation material has been drawn up and the level of consideration that's been given to the retention of lawful vehicular access as to its removal, giving rise to whether the balancing exercise required by such measures has been fully explored.

Section F
Equality and Inclusion

70. The Association is concerned that the consultation material does not appear to fully consider the implications for equality, inclusion and access arising from the removal or restriction of established vehicular rights.
71. Both routes are recorded Byways Open to All Traffic and have historically been available for use by all classes of lawful user. The proposed Orders would remove or significantly restrict access for one particular category of user whilst preserving access for others. As such, the proposals engage broader questions of inclusion and the extent to which all lawful users have been fairly considered within the decision-making process.
72. The Association recognises that recreational vehicular users represent a minority within the wider rights of way community. However, minority status does not diminish the legitimacy of their interests or the importance of ensuring those interests are properly considered when decisions are taken which may substantially affect their ability to access and enjoy the countryside.
73. The supporting documentation gives considerable attention to the benefits that the proposed restrictions may bring to certain user groups. By contrast, there appears to be comparatively limited consideration of the impact upon those users who would lose access, either permanently or for a significant part of the year, despite being entitled to use these public highways lawfully.
74. This is particularly relevant for individuals who rely upon motorised transport to access the countryside due to age, disability, mobility limitations or other personal circumstances. For such users, vehicular access may provide

opportunities to enjoy rural landscapes and public rights of way that would otherwise be difficult or impossible to access.

75. The Association does not suggest that the interests of any one user group should automatically prevail over those of another. Rather, we submit that a fair and inclusive balancing exercise requires the interests of all lawful users to be identified, considered and weighed transparently, particularly where one group stands to lose access altogether.

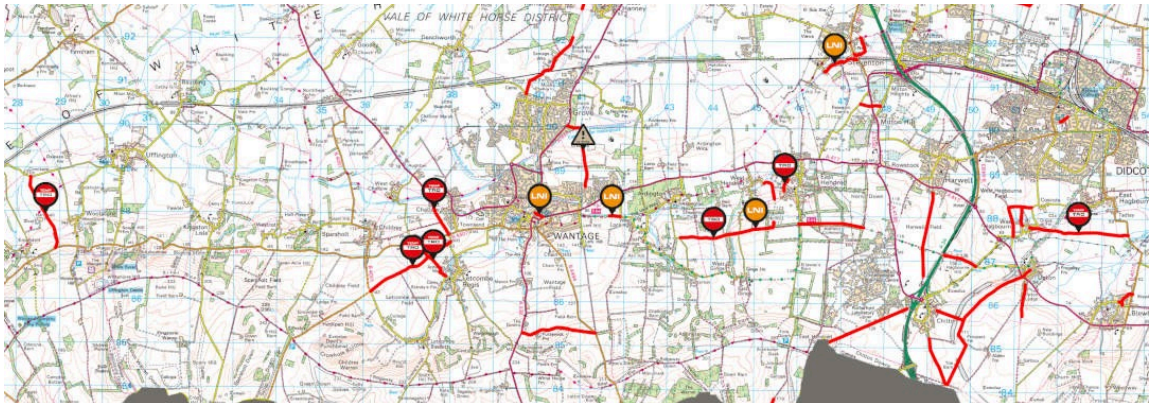
76. The Association therefore submits that the consultation material does not clearly demonstrate how the impacts upon recreational vehicular users and other users who depend upon motorised access have been assessed and balanced against the anticipated benefits of the proposed restrictions. In the absence of that assessment, it remains difficult to understand how the principles of inclusion and fair access have been reflected within the proposals.

Section G

Cumulative impact

77. The Association is concerned that the proposed Orders appear to have been considered primarily in relation to the individual characteristics of the routes concerned, without fully considering their cumulative effect on the wider byway network.
78. Whilst each Traffic Regulation Order must be assessed on its own merits, the practical effect of successive restrictions across a rights of way network may be greater than the impact of any single Order viewed in isolation. For those users who lawfully rely upon the network as a whole, the cumulative consequences of multiple restrictions can be significant.
79. Oxfordshire already has a relatively limited network of Byways Open to All Traffic available to recreational vehicular users. Over time, a growing number of routes have become subject to permanent, seasonal or long-term restrictions. Whilst individual restrictions may be justified in particular circumstances, their combined effect is a progressive reduction in the availability and connectivity of the remaining network.
80. Oxfordshire County Council's Rights of Way Improvement Plan acknowledges that Byways Open to All Traffic comprise only a very small proportion of Oxfordshire's overall rights of way network. It states that while there are 4,200km of public rights of way in the county, only 78km are BOATs – that's just 1.8% of the network available for vehicular users. This document was written and adopted in 2014, and with various restrictions placed on BOATs in the county since then, this will inevitably have reduced even further. The Association is mindful that opportunities for lawful vehicular access are therefore already limited in comparison to those available to other user

groups. This wider context is relevant when considering proposals that would further reduce access to part of that network.



Above is an extract from the Association's national database of green lanes, showing BOATs with restrictions and issues in the surrounding area.

81. The reduction of available routes may also have wider management implications. Concentrating lawful vehicular use onto a diminishing number of routes has the potential to increase pressure on those routes which remain available, potentially creating the very management challenges that restrictions seek to address.
82. The Association recognises that the Council is not required to preserve vehicular access on any particular route simply because restrictions exist elsewhere. However, where decisions have consequences for the integrity and functionality of the wider network, it is reasonable that those consequences should form part of the overall assessment.
83. The consultation material provides limited information regarding how the proposed Orders fit within the wider management of Oxfordshire's BOAT network, or how the cumulative effects of existing and proposed restrictions have been considered.

84. In the absence of such assessment, it remains difficult to understand how the long-term effects of successive restrictions upon lawful countryside access have been evaluated.

**Section H
Alternative routes**

85. The Association is concerned by the approach taken in the assessment and suggestion of alternative routes.
86. For Green Road, the B4507 is identified as an alternative route for four-wheeled vehicles. For the Letcombe Regis/West Challow road, the Supporting Statement identifies Windmill Hill Road as a suitable alternative route for larger motor vehicles and relies upon the existence of that route as part of the justification for the proposed restriction.
87. Whilst these options may provide an alternative means of travelling between locations, it does not provide an equivalent alternative to the experience, heritage value and countryside access associated with the use of a Byway Open to All Traffic.
88. The value of a BOAT lies not simply in its function as a transport corridor, but in the opportunity it provides for lawful access to the countryside, enjoyment of the historic highway network and participation in outdoor recreation. These qualities are not necessarily replicated by the adjacent metalled public roads.
89. This distinction is particularly important for users whose access to the countryside depends upon motorised transport due to disability, age, rural isolation or long-term health conditions. For such users, access to historic public roads is often not a recreational preference but a practical means of participating in outdoor life.
90. The Association is therefore concerned that the comparison presented within the Supporting Statements may conflate route connectivity with user experience. Whilst an alternative route may exist for the purpose of travel, it

does not automatically follow that it provides an equivalent alternative for the purposes of recreation, heritage access or countryside enjoyment.

91. The Supporting Statements also states that alternatives are limited for walkers, cyclists and equestrians. However, the Letcome Regis/West Challow road is paralleled for much of its length by Public Footpath 399/14/10 and Public Footpath 275/2/20, both of which provide off-road access opportunities for pedestrians as well as a route that naturally continues across the B4507, which notably is something the route in question does not.
92. The Association fully accepts that these routes are not identical in character or alignment. However, their existence is relevant when considering the relative availability of alternative opportunities for different user groups and the extent to which access would be affected by the proposed restriction.
93. More broadly, the Association is concerned that the assessment appears to focus upon the availability of alternatives for some users whilst giving less consideration to the availability of alternatives for others. Given that Byways Open to All Traffic comprise only a small proportion of Oxfordshire's wider rights of way network, opportunities for lawful recreational vehicular access are already comparatively limited.
94. The practical effect of the proposed Order would therefore be to remove one of a relatively small number of routes available to vehicular users whilst leaving substantially larger networks available to other user groups further putting into question the proportionality of the proposals.

Section I

Options considered

95. The Supporting Statement for both routes outline a number of options which are said to have been considered before arriving at the preferred proposal. The Association welcomes the fact that alternative approaches have been explored, as this is consistent with the principle that restrictions on established public rights should only be introduced following careful consideration of less restrictive measures.
96. However, whilst the conclusions reached in relation to each option are described, it is not always apparent how those conclusions have been derived or the extent to which route-specific evidence has informed the assessment process. This makes it difficult to fully understand how the relative merits of the various options have been evaluated and compared.

Option A: Voluntary Restraint

97. The assessment of voluntary restraint appears to draw heavily on experiences from other routes. Whilst lessons from elsewhere may be relevant, routes differ significantly in terms of user behaviour, maintenance history, environmental conditions and patterns of use. It is therefore unclear how the effectiveness of voluntary restraint on these specific routes has been assessed and why it wasn't deemed suitable.

Option B: Full surfacing and reopening

98. The assessment of surfacing options appears to focus primarily upon full surfacing to a metalled-road standard. The Association accepts that such an approach may not be appropriate for the character of these routes. However, the Supporting Statement provides limited insight into how other potential management or repair approaches have been considered within the overall

assessment process. As a result, it is difficult to understand the basis upon which certain options have been discounted.

Option C: Seasonal TRO (preferred option for Green Road BOAT)

99. The Council's preferred option for Green Road is a seasonal Traffic Regulation Order. The Association recognises that seasonal restrictions can, in some circumstances, represent a proportionate means of balancing access with route protection. We therefore do not object to the concept of a seasonal TRO in principle.
100. However, the justification presented for selecting this option here appears to rely upon a number of assumptions which are explored elsewhere in this response, including the anticipated impact of four-wheeled vehicles on route condition, the effectiveness of the maintenance approach adopted during the prolonged closure period, and the extent to which restricting one category of vehicle will achieve the stated objectives whilst other vehicular use continues throughout the year.

Option D: Repair and permanent TRO (preferred option for Letcombe Regis/West Challow BOAT)

101. The Council's preferred option is a width restriction affecting vehicles over 1.6 metres. The Association recognises that this is less restrictive than a full prohibition and may be intended as a compromise between competing interests. However, the rationale for selecting a width restriction appears closely linked to assumptions regarding route suitability, maintenance requirements and the impact of larger vehicles which are considered elsewhere within this response. The basis upon which the chosen threshold has been identified as the most appropriate point of intervention is not entirely apparent from the material currently available.

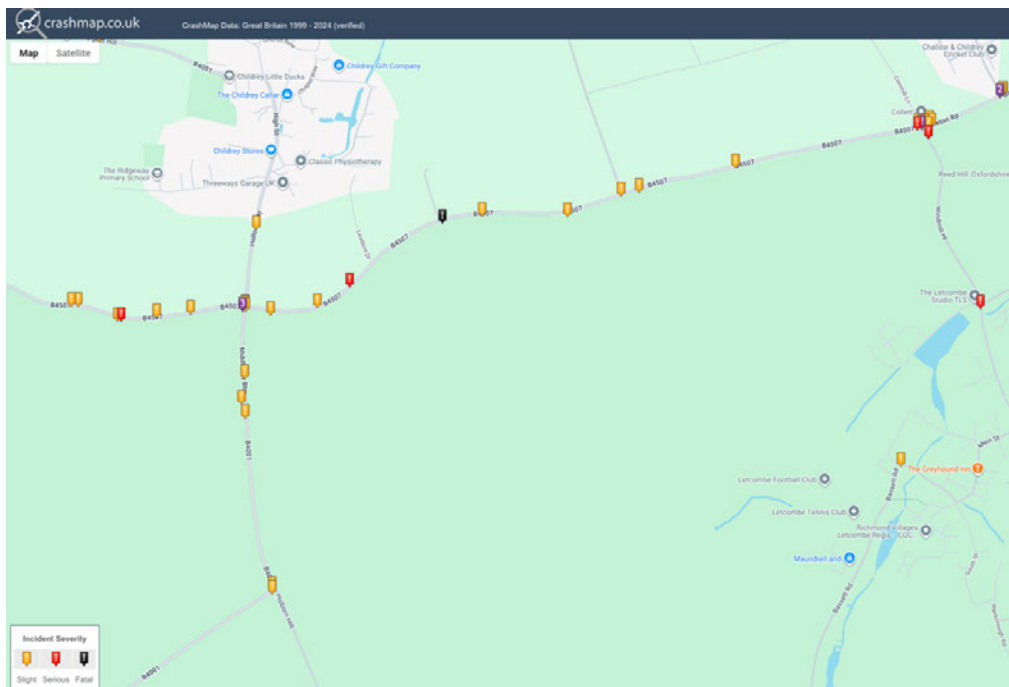
102. More broadly, the options appraisal appears to be framed around identifying the most appropriate form of restriction rather than determining whether restriction represents the most appropriate management response in the first place. The distinction is important and again, throws into question the proportionality of the proposals.

Section J

Safety and shared use

Safety

104. In the absence of any collision data, injury records, police reports or conflict audits, the evidential basis for a demonstrated safety risk remains unclear.
105. The Association recognises that authorities may act preventatively where credible risk is demonstrated. However, precaution does not remove the statutory requirement of necessity. A speculative or hypothetical risk cannot satisfy the threshold required to permanently remove established public rights.
106. Publicly available collision data (including crashmap.co.uk) records no incidents on either lane in the last 26 years (see below image). While the absence of recorded incidents is not determinative, it does suggest that the routes have historically operated without demonstrable safety issues.



107. In addition, the Police are required to record injury collisions using the national STATS19 reporting system and to log and investigate allegations of dangerous driving, each of which generates an incident record. Where a road presents a demonstrable safety risk, this is ordinarily reflected in police data and associated records.
108. No such evidence has been disclosed in support of the proposed Orders. In the absence of recorded injury collisions, substantiated complaints or published risk assessments, it is difficult to identify the evidential basis upon which the routes are said to present a danger to persons or other traffic.
109. Before resorting to permanent prohibition, the Association respectfully requests disclosure of any collision analysis, police reports, risk assessments or other safety research relied upon.
110. Highway authorities are required to act proportionately and to consider the least restrictive effective measure. Where concerns arise, appropriate responses may include mitigation works, signage, education or targeted enforcement. Permanent exclusion should be a measure of last resort. The Association therefore invites the Council to clarify what alternative options were evaluated and why they were considered insufficient.
111. Both routes in question form part of the historic road network in the area, the defining characteristic of which is that a road facilitates vehicular passage. Given the historic and recorded vehicular rights on these routes, we invite the Council to clarify what specific recent changes have led to the conclusion that they are no longer suitable for such use.
112. We're concerned that the proposals appear biased towards horse riders, pedestrians or narrower vehicles without considering the needs of wider

vehicular users, who for some, is their only means to access the countryside.

113. In addition, without wider vehicular usage, many of the routes are likely to become even more overgrown than they currently are, impeding even those users it's claimed the route is "particularly suited to".
114. It is fair to say that the anticipated benefits of prohibition are often overstated and not realised in practice; surface condition, seasonal vulnerability and vegetation encroachment are influenced by a range of environmental and maintenance factors, meaning exclusion does not automatically secure the outcomes assumed.
115. We respectfully invite the Council to reconsider this proposal to ensure it takes into account the views of all users, including vehicle users, for whom the road is meant to serve.

Shared use

116. The Association fully supports the enjoyment of these routes by walkers, horse riders and cyclists. These users form an important part of the shared public rights of way network and their interests should be carefully considered in any management decision.
117. However, the Association is concerned that this objective risks presenting the interests of different lawful users as being mutually exclusive. Historically, these routes have functioned as shared public highways accommodating a variety of users, including those travelling on foot, horseback, bicycle and motor vehicle. Their character derives not from the exclusion of particular groups but from their continued role as multi-user public roads.

118. Whilst restriction may alter the experience of some users, it does not necessarily follow that it preserves the route's character. Equally, the removal of established vehicular access may itself alter the historic and functional character of a route that has long carried public vehicular rights.
119. The Association notes that no evidence has been presented demonstrating that lawful motor vehicle use on these routes has given rise to a level of conflict or disruption such that shared use can no longer be accommodated. Indeed, both routes have been unavailable to public four-wheeled vehicles for much of the period during which recent observations and assessments appear to have taken place.
120. We are therefore concerned that the concept of "special character" may have been defined primarily by reference to the preferences of certain user groups rather than through a balanced assessment of the route's historic function, legal status and role within the wider public highway network.
121. The Association respectfully submits that the special character of these routes lies in their status as historic public roads available to a diverse range of lawful users. Management measures should therefore seek, wherever reasonably possible, to accommodate that diversity rather than reduce it.

Section K
Equality and minority group inclusion

Inclusivity and accessibility

122. Outdoor recreation serves vital public functions. It promotes wellbeing, fosters community, encourages environmental connection and supports rural economies. These benefits were thrown into sharp relief during the COVID-19 pandemic, when national policy prioritised access to green spaces as essential to physical and mental health. For many individuals, vehicular use of unsurfaced rural roads is not simply a recreational preference, it is the only practicable means of experiencing the countryside. Users with disabilities, mobility limitations, sensory sensitivities or chronic health conditions rely on lawful vehicular access to reach remote natural settings without hardship or exclusion. Countryside access is therefore an issue of equality.
123. 20% of people in the UK face daily barriers to various activities due to some form of disability. Our membership demographic reflects this with vehicular use of unsurfaced rural roads often representing the only practicable means for many to experience the countryside.
124. Our members with disabilities face challenges that vary hugely from one person to the next. Challenges that cannot be overcome simply by using motorised wheelchairs or scooters. True inclusivity involves respecting the autonomy of disabled users to choose the mode of transport that best facilitates their access to the countryside.

125. Many of our members find distance a barrier to access due to fatigue, health concerns, needing to carry medical equipment or sensory overload. Enjoying the amenity of ancient, unsealed roads from the comfort and safety of a vehicle can make the countryside accessible to disabled people who find that the rights of way network for foot, cycle and horse traffic offer little or no opportunity to them.
126. Such challenges can often lead to missed opportunities to experience the beauty of the UK's great outdoors. The Green Lane Association believe that access should be for all where possible, and the UK's equality laws insist that authorities work towards this very goal.
127. Oxfordshire County Council's Including Everyone Equality, Diversity and Inclusion Framework (2024–2029) affirms a commitment to eliminating discrimination, advancing equality of opportunity, and fostering good relations between different groups. These duties apply not only to protected characteristics under the Equality Act 2010, but also to underrepresented and disadvantaged communities whose access to public services and spaces may be structurally limited, whether through regulatory exclusion, physical inaccessibility, or policy omission.
128. As Cllr Liz Leffman writes in the Framework's foreword:
- We take our obligations and commitments very seriously and we are determined to challenge discrimination and reduce inequality in all that we do...*
129. The Association respectfully submits that these obligations must extend to all lawful users of the public highway network, including those whose access is constrained by mobility, geography, or regulatory design. Where a proposed

restriction risks excluding a structurally disadvantaged group, the Council must ensure that its procedures are transparent, its evidence is disclosed, and its engagement is inclusive.

130. While inclusivity is most often thought of as including those with additional needs or protected characteristics, there are many that affect us all for example, gender and the inevitability of age. Inclusion of all demographics is an important consideration when managing rights of way.
131. A blanket ban of four-wheeled vehicles on these routes risks excluding precisely those groups the Equality Act 2010 seeks to protect. The Act requires public authorities to avoid direct or indirect discrimination and to have due regard to the needs of disabled users when making management decisions. Removing lawful vehicular access without fully exploring proportionate alternatives risks breaching those duties.
132. DEFRA's Making the Best of Byways guidance reminds us that Byways Open to All Traffic (BOATs) make up a tiny proportion of the countryside access network nationally (circa 2%) but serve a disproportionately diverse group of lawful users. In Oxfordshire, it was quoted at 1.8% in 2014 and is likely significantly less now.

DEFRA's Making the Best of Byways advises councils to adopt tolerant, proportionate management and avoid exclusion except as a last resort.

133. The absence of an Equality Impact Assessment, coupled with the lack of mitigation strategies or suitable alternative provisions, risks rendering the proposed Order not only disproportionate, but procedurally incomplete. Inclusive governance requires more than legal compliance, it requires active engagement with those whose access is most fragile.

Motorised users as a structurally disadvantaged group

134. Responsible recreational motorised users, particularly those who rely on vehicular access due to disability, age, or chronic health conditions, constitute a minority group whose needs must be considered in any lawful balancing exercise. While they represent a small fraction of the overall rights-of-way user base, their lawful access is disproportionately impacted by exclusionary regulation.
135. This disadvantage is rarely explicit. It arises through structural limitations, a network that offers few viable alternatives, policy frameworks that overlook their needs, and consultation processes that fail to engage their lived experience. In this context, the proposed Order risks compounding a pattern of indirect discrimination, where access is not formally denied, but becomes functionally impossible.
136. In exercising its powers under the Road Traffic Regulation Act 1984, the Council is required under section 122 to secure the expeditious, convenient and safe movement of traffic. This requires a genuine balancing exercise between competing interests. The consultation materials do not demonstrate how the needs of vehicle users - who will bear the entirety of the restriction - were weighed against the preferences of other groups. The statutory balancing exercise is not determined by numerical majority or volume of representation. Lawful highway rights cannot be removed solely because one category of user is larger or more vocal. Parliament has recognised vehicular rights on these routes; their removal requires evidence of necessity, not preference.

137. Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity. Due regard requires informed consideration. The consultation materials do not disclose:

- Whether disabled vehicular users were specifically consulted;
- Whether representative organisations were engaged;
- Whether cumulative impact across multiple TROs was assessed;
- Whether mitigation strategies were evaluated.

138. This duty applies not only to service delivery, but to the design and implementation of public policy, including decisions about access to the countryside. Where a proposed restriction disproportionately affects a group with protected characteristics, the authority must demonstrate that the measure is justified, proportionate and supported by reasonable alternatives.

139. As the Green Lane Association notes in its publication *Inclusive Countryside Access*:

No one should be excluded from using our Public Rights of Way because of any physical, sensory, mental, cognitive, developmental, or intellectual challenges that they experience. The preferred choice of lawful transport on a public highway belongs to the individual - they should not be excluded because of it.

140. This principle speaks directly to the Council's duties. It affirms that access must be judged not by majority preference, but by the needs of those with the fewest alternatives. Where motorised access is the only practicable means of experiencing the countryside, its exclusion demands careful justification and proportionate reasoning.

141. The proposed Order, by prohibiting motor vehicles without demonstrable justification or consideration of reasonable and comparable alternatives, risks undermining the Council's own commitments to inclusive service delivery and equitable decision-making.

Lived experience and inclusive access

142. The policy omissions and contradictions, and procedural imbalances outlined above are not abstract. They have real consequences for individuals whose access to the countryside depends on lawful vehicular use. For many, motorised access is not a recreational preference, it is a practical necessity. It enables participation in outdoor life that would otherwise be inaccessible due to disability, age, sensory sensitivity or chronic health conditions.
143. The Association's publication Inclusive Countryside Access documents these experiences in detail. It states:

For many individuals, vehicular use of unsurfaced rural roads is not simply a recreational preference - it is the only practicable means of experiencing the countryside. Users with disabilities, mobility limitations, sensory sensitivities, or chronic health conditions rely on lawful vehicular access to reach remote natural settings without hardship or exclusion.

144. This testimony reflects a broader pattern of exclusion that arises when policy frameworks fail to account for the diversity of lawful users. It reinforces the principle that access must be judged not by majority preference, but by the needs of those with the fewest alternatives.

We spoke to some of our members who use this route who are living examples of this reality. One member writes:

“My partner suffers from plantar fasciitis and finds walking difficult, so using a vehicle enables her to access the countryside. I’m also neurodivergent and take great pleasure getting out into the countryside using my car.”

Another states:

“The group I lanned with (when these were open) included someone with no use of this legs. Lanning was his only method of getting to the outdoors.”

Another member explains:

“With the natural ageing process I may in future find it difficult to walk far, and if that was the case I’d still like to think I could get away from it all and enjoy the countryside in my 4x4. Closure isn’t management.”

145. These accounts are not isolated. They reflect a consistent theme, that responsible motorised users are being excluded in circumstances where the evidential basis for restriction has not been disclosed, and that this exclusion disproportionately affects those with limited alternatives.
146. The Equality Act 2010 requires public authorities to consider how to eliminate discrimination, advance equality of opportunity, and foster good relations between different groups. Indirect discrimination occurs when a policy or decision, though neutral in appearance, places a particular group at a disadvantage. Where exclusion is proposed, authorities must demonstrate that it is a proportionate means of achieving a legitimate aim, and that reasonable alternatives have been considered.
147. To date, no such demonstration has been made. The consultation materials do not reflect the lived experience of mobility-restricted users, nor do they offer any mitigation strategies or suitable provisions. The absence of this perspective risks rendering the proposed Order not only disproportionate, but

procedurally incomplete.

148. The Association respectfully submits that inclusive governance requires more than legal compliance. It requires active engagement with those whose access is most fragile. We invite the Council to consider these lived experiences not as anecdotal, but as essential evidence in the statutory balancing exercise.

Section L

Measures proposed to ensure proportionate regulation

149. The Association recognises the Council’s challenge: to balance competing interests, uphold statutory duties and secure public confidence in a complex regulatory landscape. In that spirit, the Association offers a suite of workable, precedent-based measures to assist the development of a proportionate and enforceable scheme.
150. These proposals are advanced constructively, in good faith, and without exclusivity. They reflect a willingness to compromise, a respect for lawful governance, and a shared interest in preserving inclusive access for all. They are designed not only to meet legal thresholds, but to foster long-term legitimacy, operational clarity and public trust.
151. The Association reaffirms its commitment to support the implementation of a workable and enforceable scheme, provided that safeguards negotiated in good faith are duly incorporated. These measures are essential to ensuring that any scheme remains proportionate, legally sound and operable in practice.
152. To this end, we advance a series of practical concessions, grounded in operational precedent, to support the development of a framework that upholds statutory duties, enables effective regulation and secures long-term public confidence.
153. These concessions are expressly contingent on the incorporation of a formal mechanism for periodic review, ensuring that all restrictions remain necessary, evidence-based and subject to revision in light of operational experience and stakeholder feedback. We acknowledge the Council’s

responsibility to engage equitably with all interested parties and support a transparent decision-making process that balances competing interests. In this context, we respectfully invite the Council to convene a stakeholder forum or working group to support collaborative development, inclusive engagement and lawful implementation.

154. Specific measures proposed by the Association include,

- **Support for route maintenance and stewardship:** In keeping with our commitment to constructive partnership, the Association is willing to explore ways of supporting the Council in maintaining these routes. In particular, we'd be happy to discuss vegetation clearance as well as suitable drainage and stonework repairs to help mitigate water erosion issues mentioned within the proposals. We have extensive experience in this area - you can read more about other repairs we've been involved with here:

<https://www.glass-uk.org/projects>

Other support may include the provision of volunteer labour, logistical coordination and, where appropriate, financial contributions toward remedial works or vegetation clearance. Any such support would be contingent on lawful access being retained and coordinated through an agreed framework that ensures transparency, safety, and operational oversight. We offer this not as a substitute for the Council's statutory duties, but as a gesture of goodwill and shared responsibility.

- **Weather-linked access restrictions:** Where adverse conditions risk route integrity, the Association supports the use of externally verifiable weather triggers to guide temporary access suspension. For example, Met Office red or amber alerts may provide a clear and defensible basis for restricting access. Such measures should be transparent, published in advance, and

subject to stakeholder review to reinforce operational clarity and public trust.

- **One-way traffic provision:** Where topography, route width or visibility limit feasibility for bidirectional use, the Association is open to exploring one-way traffic designations for specific segments. Such measures should be based on published evidence and introduced proportionately to preserve access continuity and operational simplicity. Any proposals should be subject to stakeholder engagement to ensure lawful use remains viable.
- **Group size limitations:** To support route manageability, coordination and predictable user expectations, the Association proposes a maximum of four recreational 4x4 vehicles per group. This figure reflects established good practice and promotes harmonious interaction across the wider user base.
- **Daily access cap:** Under normal operating conditions, a ceiling of five recreational groups per day provides a straightforward framework for scheduling and oversight. This measure helps structure lawful activity without implying adverse impact. The Association welcomes opportunities for periodic review based on route-specific operational data.
- **Review mechanism:** All measures should be subject to scheduled twice-yearly review, enabling timely assessment of their proportionality, practicality and public legitimacy. The process should be publicly documented and open to input from affected users and stakeholders, in accordance with transparency obligations. This review process also supports the Council's duties under the Equality Act 2010, ensuring that any restriction remains proportionate and does not produce indirect discrimination against users with limited mobility or constrained alternatives.

- **Integration with permit scheme:** While the Association remains open to engaging with the development of a permit framework in line with DEFRA's guidance, we recognise that such schemes are not universally popular and must be approached with caution. We reserve our position on its detailed structure and scope on sight of a draft proposal. Subject to statutory compliance and consultation transparency, we support incorporating proportionate safeguards, such as those outlined above, where feasible and appropriate.

155. We welcome the opportunity to contribute constructively, alongside other stakeholders, to any future consultation regarding the design of a future scheme. Such input can help ensure that the resulting framework reflects statutory requirements under the Road Traffic Regulation Act 1984 and is developed transparently, proportionately and in the public interest.
156. In keeping with our values of transparency and solution-focused dialogue, the Green Lane Association remains ready to support the design, refinement and implementation of any scheme that aspires to long-term legitimacy and community support. We extend an open invitation to convene inclusive dialogue, formal or informal, at the Council's discretion, and trust that it shares our aim of building a framework rooted in law, evidence, and fairness for all public stakeholders.

Section M
Grounds for reconsideration

157. The Association appreciates the Council's efforts to navigate a complex and sensitive regulatory landscape. We recognise the challenge of balancing competing interests, safeguarding public rights and maintaining public confidence in decisions that affect access to the countryside. Our proposals are offered in a spirit of cooperation, not to oppose regulation, but to help shape it in a way that is fair, workable, and inclusive.
158. That spirit of collaboration rests on a shared understanding that process matters. When decisions affect long-standing public rights, especially those exercised by minority groups with limited alternatives, it is essential that the process be transparent, evidence-led, and open to scrutiny. Without that foundation, even well-intentioned proposals risk losing legitimacy.
159. The Council's Statement of Reasons and Supplementary Statements outline its purposes for the proposed Orders, referencing route vulnerability and statutory powers. These are important considerations. But the consultation materials do not include the underlying evidence, such as condition surveys, enforcement records or detailed Equality Impact Assessments, that would allow consultees to understand how those conclusions were reached. In the absence of that evidence, it becomes difficult to engage meaningfully with the proposal or to explore alternative approaches.
160. Consultation, at its best, is a conversation. It invites challenge, welcomes insight and helps shape better outcomes. The Gunning Principles remind us that consultation must happen early enough to influence the decision, and with enough information to allow a considered response. In this case, the rationale has been presented, but the supporting documentation has not. That

gap matters, not because it casts doubt on the Council's intentions, but because it limits the ability of stakeholders to contribute constructively.

161. None of this is to suggest that the Council has acted improperly. But we do believe the process would benefit from greater clarity, fuller disclosure and more inclusive engagement, especially given the severity of the proposed restrictions and their impact on users with few alternatives.
162. We invite the Council to reflect on whether the procedural foundations of the proposed Order are sufficiently robust to support a lawful and inclusive outcome. Where evidence is incomplete, where engagement has been selective and where the rationale remains untested, the risk is not merely one of legal challenge, it is one of public trust.
163. The Association remains committed to constructive dialogue and principled collaboration. We believe that regulation, when shaped through open process and inclusive engagement, can command legitimacy and deliver lasting stewardship. We stand ready to support the Council in strengthening that process and ensuring that all lawful users are fairly represented in the decisions that follow.

Section N

Conclusion and final reflections

164. The Green Lane Association has approached this consultation with care, clarity and a genuine desire to assist the Council in reaching a proportionate and lawful outcome. We recognise the complexity of the issues at hand and the competing pressures that shape decisions about public access. Our submission does not seek to obstruct regulation, but to support its refinement, so that it reflects not only statutory duties, but the lived realities of those most affected.
165. The two routes in question are not abstract cases. They are real routes, with real users, with a long history of lawful public use. Their designation as BOATs is not incidental; it reflects their legal status and historical function. The routes have long served a diverse range of lawful users, including individuals whose ability to access the countryside relies on motorised transport, whether due to disability, age or rural isolation. For these individuals, exclusion is not a matter of preference; it is a matter of practicality and dignity.
166. The proposed Order would remove two routes in the district that are both legally accessible and geographically viable for responsible motorised users. It would do so without a published Equality Impact Assessment, without condition surveys and without evidence of irreparable harm. It would also do so in a way that risks conflating responsible use with unsuitability, and procedural omission with justification.
167. We do not suggest that the Council has acted improperly. But we do believe that the process, as it stands, falls short of the evidential and procedural standards required to support a restriction of this severity. The absence of key

documentation, the lack of engagement with affected groups and the framing of the consultation materials all point to a need for reconsideration, not as a retreat, but as a principled recalibration.

168. Throughout this submission, we have offered practical, precedent-based measures to support proportionate regulation. These include collaborative stewardship and maintenance support, directional restrictions and group size limits. We have also invited the Council to convene a stakeholder forum to explore these options together. These proposals are not exhaustive, but they are workable, lawful and grounded in shared experience.
169. We have also drawn attention to the broader context in which this decision sits. The cumulative impact of route closures, the structural disadvantage faced by motorised users and the absence of strategic recognition within the Council's own policy frameworks all contribute to a pattern of exclusion that cannot be ignored. Where access is already scarce, further restriction demands a particularly high evidential threshold. That threshold has not yet been met.
170. The Association has taken care to present its concerns in a constructive and respectful manner. We have not sought to challenge the Council's authority, but to support its duty to act lawfully, transparently and in the public interest. We have grounded our submission in statutory duties, national guidance and lived experience. We have acknowledged areas of common ground and proposed practical solutions. We have done so because we believe that regulation, when shaped through inclusive dialogue and transparent process, can command legitimacy and deliver lasting stewardship.
171. We respectfully invite the Council to pause and reflect, not only on the legal framework, but on the human impact. To consider whether the proposed Order, in its current form, reflects the principles of fairness, transparency, and

inclusion that underpin public trust. And to ask whether the voices of those most affected have truly been heard.

172. These roads are not just routes, they are threads in the fabric of rural life. They are routes that many locals and their varied visitors want to keep open for all users. Their continued accessibility matters not only to those who use them, but to the integrity of the network, the credibility of the process, and the principle that public rights should not be removed without clear and proportionate justification.
173. The Green Lane Association remains committed to constructive engagement and principled collaboration. We extend an open invitation to continue the dialogue, and trust that the Council shares our aim of building a framework rooted in law, evidence, and fairness, for all who rely on it.
174. And if there is one final thought to leave with the Council, it is this: regulation is not merely a technical exercise. It is a reflection of how we value public space, how we balance competing needs and how we honour the rights of those whose voices are least often heard. In that spirit, we ask not for favour, but for fairness. Not for exemption, but for inclusion. And not for silence, but for a process that listens, weighs and responds with integrity.

Yours faithfully



Legal Assistant
Green Lane Association

Documents attached:

Annex A: GLASS objection 2x TROs Oxfordshire

Annexes B1& B2: Green Road BOAT / Letcombe Regis&West Challow BOAT Site Survey