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Dear Mark,

Thank you for your letters of 1 and 16 November to the former and current Secretary of State respectively about the decision not to commence the exceptions regulations simultaneously with the cut-off date, and to not proceed with an exception covering rights of way currently in use. I am replying as the Minister responsible for this policy area and I apologise for the delay in doing so. Thank you also on behalf of the Secretary of State for your kind words of congratulation.

I understand the concerns that you and others have raised about the decision to not proceed with an exception for unrecorded historic rights of way that are in public use from extinguishment at the cut-off date in 2031. I have therefore decided to bring back that exception and implement it separately in the spring, which I hope will provide reassurance that the public will still be able to use such routes after the cut-off date whilst reducing burdens on local authorities.

The Government remains committed to implementing regulations that will except certain other rights of way and officials will continue to discuss those with the Stakeholder Working Group.

We are aware of the backlog of applications that currently sit with local authorities which is one reason why we are focused on bringing in the reforms to the Definitive Map Modification Order procedures ahead of the remaining exceptions regulations, which will help speed up the process and reduce burdens on all parties.

Thank you once again for taking the time to contact us about this important issue.

REBECCA POW MP