

Our ref: HA 122/05/310
Your ref: (M40 Feb 2010)

Mr Peter Silverman
20 Kingsend
Ruislip
Middlesex
HA4 7DA

(p@petersilverman.com)

Aran Nugent
Department's Representative
2nd Floor
Woodlands
Manton Lane
Bedford MK41 7LW

Direct Line: 01234 796261

23 February 2010

Dear Mr Silverman

SECTION 91 ENVIRONMENT PROTECTION ACT 1990 NOTICE

Thank you for your email of 19 February 2010 to Lord Adonis about concerns over the cleanliness of the M40 motorway and your intention to lodge a complaint with the Magistrates Court under the Environmental Protection Act 1990. Your letter has been forwarded to me for reply in my role as the Highways Agency's Department's Representative.

You may not be aware that the M40 motorway from J1 to J15 was let to UK Highways as a Design, Build, Finance and Operate Contract in 1996. They have responsibility for the operation and maintenance of the M40 for a period of 30 years.

Under the terms of the contract, the Secretary of State for Transport discharged all duties to UK Highways to act as Litter Authority in accordance with the Environmental Protection Act 1990.

I have provided UK Highways with a copy of your email and as they are the Litter Authority, have asked them to provide you with a more detailed response.

For your information, their contact details are:

UK Highways
PO Box 15
Banbury
Oxfordshire
OX16 3YT

I trust this clarifies the situation, should you wish to discuss this matter further please contact me on the above number.

Yours sincerely



Aran Nugent
Network Operations East - DBFO
Email: Aran.Nugent@highways.gsi.gov.uk