

From: Peter Silverman [mailto:petersilverman@cleanhighways.co.uk]
Sent: 01 April 2011 12:10
To: Mike Penning (Under-secretary of State for Transport)
Cc: 'Will Gates'; Nick Hurd (MP For Ruilsip Northwood)
Subject: Our Littered Motorways

Dear Mr Penning,

Thank you for your letter of 31st March. It can be conveniently accessed, together with our previous correspondence, via this [link](#).

I am of course disappointed that you are unable to meet with myself and the Campaign to Protect Rural England to review my report, "[Our Littered Motorways](#)".

It was inspired by your [speech](#) last March at the Transport Committee debate on "Motorway Litter" which you had called for. In your opening remarks you said (paraphrased):

"Our road networks, in particular our motorways are blighted by rubbish.... I am aware that there is legislation in place however it is frankly not working. Travel up the M1 from Brent Cross and you are driving through a rubbish tip".

In my report and our subsequent correspondence, I argued that this state of affairs had been brought about by the Highways Agency's failure to ensure that their maintenance contractors delivered the service that they were being paid for. This has not only resulted in our motorways being, as you say, "blighted by rubbish", but also, it could be argued, represents a serious and unwarranted transfer of public money to private businesses.

I assume you must have raised your concerns about litter with the Agency after you took over ministerial responsibility for our motorways. If so, your overtures appear to have had little impact judging by their [Business Plan for 2011/2012](#) which was published yesterday. In its 35 pages it contains no references whatsoever to litter or cleansing. It spells out 10 performance measures none of which refer to cleansing.

Interestingly it says that the Agency plans a gradual renegotiation of contracts with their maintenance service providers. It is important therefore that they take this opportunity to comply with the recommendations of the Office of Government Commerce and to build into the cleansing sections of the new contracts proper performance specifications, associated monitoring procedures and mechanisms for taking remedial action where performance falls below specification.

You have kindly arranged for meet with senior officials in the Department for Transport and the Highways Agency. I would like to use that opportunity to discuss the new contracts with them to ensure past mistakes are not repeated. This could help to obviate the sort of problems currently being experienced on the M40.

On 24th February I complained to the Agency about the slip roads at [J1 of the M40](#). One of the slip roads is still in a quite horrendous state. It was last cleaned (inadequately) on 24th January. It was inspected by the contractor on 9th March and identified as substandard. In spite of this the Agency are saying that it may not now be cleaned until August! I have therefore been obliged to apply to the court for a Litter Abatement Order against the Secretary of State to force him to arrange a more urgent response.

Mr Penning, in closing, may I ask you whether or not you still feel that our motorways are blighted by litter, and if not, what has changed your mind?

I look forward to hearing from you.

Kind regards

Peter Silverman
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