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The Court Manager
Wycombe & Beaconsfield Magistrates Court
Easton St, High Wycombe
Bucks,
HP11 1LR

7th May 2011

Dear Sir,

**Complaint for a Litter Abatement Order
Silverman vs Sec. Of State for Transport
Hearing 2pm 9th May 2011**

Costs

As the highway in question was defaced by litter at the time of my complaint and there were reasonable grounds for making it I would like the court to order the defendant to pay my costs under EPA S91 (12). A schedule is attached.

Litter Abatement Order

I inspected the two "off" slip roads on 6th May. Both showed signs of having been very recently cleaned. The open areas adjacent to the carriageways were clean apart from a few, presumably recently deposited, items of litter.

In contrast the areas covered by scrub were still badly littered. If any cleaning had taken place since I made my complaint it has been grossly inadequate. The following evidence is provided to support this contention:

Westbound off slip road - left hand side embankment:

1. A traffic cone photographed on 19th March was still in situ on 6th May. (See attachment 1).
2. Nearby, a large sheet of some white card like material was also still there. I recall clearly that it was located approx 2 yards from the cone and I am confident that the two photos presented are of the same item. (Attachment 2).
3. On the 19th March had I noticed a refrigerator half way down the embankment. Unfortunately my camera's battery ran out and I was unable to photograph it. It was still present on May 6th as evidenced by the photograph in attachment 3. This was taken looking down the embankment. The presence of sapling growth in front of it indicates that it must have been lying there for at least several months.

Eastbound off slip road – right hand side

The top picture in attachment 4 shows the relatively clean state of the open area. The bottom one is of one of the many sections of the adjacent scrub area and shows several items of litter. Clearly these areas were missed in the recent litter pick.

I claim therefore that the land in question is still defaced by litter and ask the court to issue a Litter Abatement Order to the Defendant in pursuant to S91(c) of the Environmental Protection Act 1990. Please refer to attached draft order.

Yours faithfully

Peter Silverman