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Please quote: Z1205766/SMH/A6

Your reference:

30TH May 2012

Dear Mr Silverman

CASE: Yourself v The Secretary of State for Transport
Complaint concerning Litter under the Environmental Protection Act 1990

Thank you for your e-mail of 16th May 2012 regarding your application for a litter abatement order and complaint about the Denham roundabout.

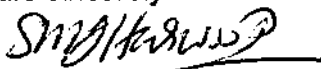
I have taken instructions from my client on the matters that you raised in your e-mail.

My client confirms that the M40 J1 will be assessed and cleaned in accordance with our contractor's standard processes and procedures for litter clearance. These processes and procedures have been developed to meet the requirements of the Environmental Protection Act 1990 and DEFRA Code of Practice for Litter and Refuse 2006.

In these circumstances it would be highly irregular and a risk to my client's contractual position with the contractors if they were to agree to participate in and /or attend a so-called "inspection" of their work by a lay member of the public. It is also not in the public interest for public resources to be expended arranging and attending an unnecessary "inspection" by a single member of the public. It follows therefore that whilst my client is keen to resolve this issue that the resolution you suggest in your 16th May e-mail is not one that my client can agree.

In your e-mail 16th May you also made a variety of requests under the heading information request. I am instructed that my client has no information to provide to you as litter has not been inspected at M40 J1 by Highways Agency personnel. It follows therefore that no inspection dates can be provided nor any inspection reports be provided.

Yours sincerely



Sue Harwood
for the Treasury Solicitor