

From: MONKS, Angela (for Andrew Gwynne MP)
Sent: 13 August 2013 12:03
To: 'Stephen.Hammond_MP XXXXX'
Subject: 6585/Dec 12 - AMENDED VERSION

Dear Mr Hammond

Thank you for your letter of 17th July 2013. I have discussed the contents with Peter Silverman and wish to raise the following additional points.

M40 Litter Inspections

Peter Silverman had stated at our meeting that the Highways Agency did not carry out routine physical checks of the cleanliness or otherwise of the M40. Nobody from the Agency, I recall him saying, went round with a clip board checking the litter on the verges. He said that the formal litter inspections that were carried out by the Agency were of the paper work systems - what you have referred to as "paper based checks".

Ms Rashid implied that this was not the case and you kindly agreed to look into it.

Peter accepts that both the Agency and the PS have explained their approach to managing litter but cannot see the relevance of this to his specific claims regarding M40 litter inspections.

You say that "*Monitoring the performance of the service provider is a core activity carried out by the Highways Agency*", which in this instance relies on feed-back from traffic officers, audits (which [Peters' researches indicate are paper based checks](#)) and complaints from the public.

Peter did, as you say, raise this issue as part of his complaint against the Secretary of State, but his point was conceded. Please refer to a [letter from the Treasury Solicitor](#), which states in the last paragraph that "*..litter has not been inspected at M40 J1 by Highways Agency personnel*".

Unless the traffic officers routinely produce litter inspection reports and these were omitted in error in the responses to Peter's information requests of [30/10/12](#) and [04/12/12](#) it would seem that Peter's assertion is correct.

I will be generous and interpret your last paragraph as meaning you are content with the Agency's approach to managing litter on the M40 – in spite of the fact that the Agency do not carry out routine physical checks of its cleanliness.

M25 – Relaxed definitions of litter grades

Please refer to [Peter's e-mail to Freda Rashid of 3rd July](#).

It would appear that Peter's other assertion, also contradicted by Ms Rashid, is correct. Not only are more relaxed definitions of the litter grades used compared to those in the Litter Code of Practice. but the inspection process suffers from other defects as well.

As Peter says "*slip roads, consistently the most littered parts of a motorway, seem to be omitted - the contractor is given advance notice of an impending inspection – litter and refuse down embankments would not be seen from the vantage point taken by the inspectors*".

I think Peter has drawn our attention to defects in the Agency's inspection regimes on the both the M40 and M25 in a considered and responsible manner and should be thanked for his efforts.

Area 10

I will be monitoring the area and will be in touch prior to our follow up meeting in September, which you kindly agreed Peter could attend. Peter has also asked Matthew Sweeting for further information on the current procedures.

Yours sincerely

Andrew