



Department
for Transport

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From the Parliamentary
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Our Ref:

Dear Andrew,

17 JUL 2013

M40 LITTER

At our meeting on 3 July 2013 you raised concerns about how the Highways Agency manages litter on the M40. Specifically that it only carries out paper based checks. I undertook to follow up with the Agency on their approach.

I believe the Agency and the Department's Permanent Secretary have both explained the approach to managing litter in previous correspondence with Mr. Silverman.

The contract the Agency has with the M40 service provider requires them to comply with the Environment Protection Act and DEFRA Code of Practice for Litter and Refuse. For the purposes of assessment, grading and cleaning, the service provider on the M40 has divided their network into 3 areas; 1 km sections of the mainline carriageway, slip roads and roundabouts. If a small part of a section is assessed as below grade B, the whole section is recorded as such and requires cleaning within timescales specified in the Code of Practice. They assess and grade mainline carriageway, slip roads and roundabouts alternately every 2 weeks. Records are kept to substantiate that grading was undertaken and litter clearance carried out. Supplementary litter picking, known as scavenging, is also carried out as part of other routine maintenance operations. The intention is to maintain the network at a grade B standard. However, once a section is assessed as below grade B, targeted litter picking is carried out to restore that area of land to an acceptable standard.

Monitoring the performance of the service provider is a core activity carried out by the Highways Agency. The traffic officer service is ever present on the network and raises any issues affecting the road with the teams managing the maintenance contracts. The service provider is subject to audits with management of litter one of a number of topics subject to scrutiny. Notifications, enquiries and complaints are also received from members of

the public. If significant concerns are identified through any of these sources, the Agency instigate further challenge of the service provider, and conduct site visits where necessary.

I am aware that Mr. Silverman also raised this issue as part of his complaint against the Secretary of State for Transport on 27 July 2012 where he pressed for a litter abatement order to be made at M40 junction 1 Denham roundabout. In response to his evidence, the Agency presented their approach to Wycombe and Beaconsfield Magistrates Court and the District Judge found in their favour.

Therefore, whilst I am currently content with the Agency's approach to managing litter on the M40, I will keep it under review. I am also intending to go out on a "litter assessment" with the Highways Agency.

Your ever

A handwritten signature in blue ink, appearing to read 'SH', with a horizontal line extending from the end of the signature.

STEPHEN HAMMOND