

Report 2

Compliance with EPA S89(1) *Duty to keep land and highways clear of litter*

Report prepared by Peter Silverman of Clean Highways

For the Chief Executive Officer of the Highways Agency, Graham Dalton

20th February 2015

Introduction

Please refer to my [first report dated 11th February](#).

It had not been my intention to write to you again so soon but I have been inundated with further feedback in the last nine days and feel duty bound to bring it to your immediate attention.

It would appear that litter is at a crisis level across large parts of the Highways Agency network. Can you declare a state of emergency and rally the resources to necessary to remedy this awful situation.

Feedback from road users 11th – 20th Feb

Below are extracts from the Clean Highways [messages of support page](#).

A3 between Kingston and Guildford and the A31 between Guildford and Alton. I have never seen so much litter in my life *Jo McGrory*

I contacted North Yorkshire Highways today about the state of the A64 from the intersection of the A1 to the Malton By Pass. *G H Bell*

The A14 from M1/M6 to Cambridge is in a terrible state with regard to litter. *Peter Wright*

Roadside litter. The UK road system is rapidly descending into an utter disgrace. I hang my head in shame when I drive now. The A406, A12, A13 plus dozens of others *Robert Pickles*

Litter strewn A130... *Brian Fowle*

M55 to Blackpool and M65 *Teresa Newsome*

I am writing to express my concern at the considerable build up of litter on the M1 & A64, this issue is worsening on a daily basis. *Mrs Janet Rudd*

Disgusting, litter strewn A14 – a horror!! Travelled along this eye-sore route from Catthorpe Interchange to Newmarket *L Spicer*

The A38 (Derbyshire) must be one of the most dirty roads in England *Geoff Sargeant*

The A27 in East Sussex has become increasingly litter infested over the last few years
Kate Bowen

15th February, travelling along the A14 towards Cambridge from the M1, I was appalled, *Richard Green*

The state of the A14, particularly the section in Northamptonshire, is terrible *Pru Allington-Smith*

The whole length of the Thetford A11 bypass from the Sainsburys roundabout to the A1075 roundabout the verges and central reservation is thick with litter. *Stuart Clay*

Dear Peter, I emailed a complaint about litter at the bottom end of the M11 between the M25 and the North Circular to the Highways Agency on 19th Jan. I said that there was a very bad build-up of rubbish on both the northbound and southbound verges and the central carriageway and that the problem was particularly bad northbound between the North Circular and M11 junction 5 (Loughton) on the verge and the central reservation, plus on both sides of the northbound slipway leading down to the M11 junction 5 turn off. I was contacted not by the Agency but by their contractor whose work I had in effect been criticising. As of the 11th February it appears that nothing has been done to clean the locations I had identified. *Iain Ambler*

Peter, the A14 between J3 and the M11 is an absolute disgrace. The central reservations rarely seem to ever get cleared. East Northamptonshire Council have said they need to close the inside lane to carry out cleaning safely and need permission from the Highways Agency to do this. They told me on 11th Feb that the Agency will not give them permission until May. They also claim the Highways Agency are responsible for cleaning the central reservations not themselves. *Peter Martin*

A lot of litter on the A3 today. *Brian Aitchison*

Robert McGeachie, after complaining about litter on the M1 near Wakefield received an e-mail from the Highways Agency's Area 12 (Bradford, Leeds, Sheffield, York, Hull and Grimby) contractor A-one+ to say "... we have been carrying out litter picking on a needs basis around the network. During January and February we have been concentrating on the M621 and M606.." This implies that there was no significant cleansing of their sections of the M1, A1(M), M62, M180, M181 and M18 in the first 2 months of the year. They went on to say that "... in the first two weeks in March we have programmed litter picking for the M1 from Junctions 33 to 39 and also to the M18 junctions 1 to 5"

I didn't realise how filthy the sides of most of our roads are until I spent some time living abroad where nothing like the same amount of rubbish is allowed to

accumulate. I had such a shock on returning - the first thing I noticed on travelling from the airport was the huge drifts of litter along the sides of motorways and trunk roads *Tom Parkinson*

... am horrified about the millions of pieces of litter along the A13/M11/M25 from Stansted Airport. I was shocked to say the least. Although Dublin is by far from the cleanest City in Europe, the well maintained motorway verges were so much cleaner by a huge comparison. *Frank Copeland*

Litter on Marlow By-Pass A404. How we applaud your time and hard in dealing with this awful problem. It's a depressing journey along the A404 to High Wycombe where the filth and litter is unbelievable. *Howard Baxter*

The Highways Agency's All Purpose Trunk Roads – Liaising with Local Authorities

A further example of poor liaison between the Agency and those local authorities responsible for cleaning APTRs has come to light.

Peter Martin recently contacted Ipswich Borough Council about the appallingly littered state of the A12. Ipswich Borough Council forwarded his complaint to Suffolk County Council who then forwarded it to the Highways Agency saying that it was a matter for you! [The correspondence can be seen here.](#)

I remember travelling down this roads a couple of years ago and can still remember mile after mile of defaced verges and central reservations. I am now beginning to understand why this was, and apparently still is, the case.

Litter from waste transport vehicles

In my previous communication I referred to reports of waste falling from bulk waste transport lorries on the M32. One of your Executive Directors, David Brewster had written to David Webb MP saying "We will be seeking to address this issue with the companies involved... "

Please thank Daniel Tope-Charlton for his [prompt response to my information request](#) for the resulting correspondence.

It turns out there was just one communication. A letter was sent by your contractor Skanska to McCarthy Marland Ltd informing them that if a police officer had observed such an incident they might have issued the driver with a £60 fixed penalty notice.

The letter asked for a response. None was forthcoming and there was no follow up from the Agency or Skanska.

Do you not think that firmer action should have been taken?

If you have not already done so when you come to address the similar issue on the A13, I recommend that the Agency prosecutes the offending companies under [EPA S34 – Duty of care as respects waste](#). I initiated a case against a skip operator some years ago and the court fined the perpetrator several thousand pounds.

Where are your contractors' staff?

My understanding is that your service providers are obliged to have a certain number of personnel available on call on a 24/7 basis to deal with motorway incidents. They are sometimes known as Incident Support Units although I believe different terms are used in different areas.

I further understand that when they are not dealing with incidents, which would of course be most of the time, they are available to carry out routine maintenance tasks such as grass cutting and litter picking.

I accept that some of the time they will be off road for shift changes, meal breaks and training etc. But the remainder of the time, provided there is work to be done, they should be visible carrying out work on the motorway throughout the day and at night.

However I can drive on the motorways for hours on end and very rarely see anyone carrying out routine maintenance although there is invariably plenty of litter that needs picking up.

Can you please tell me what the contractual manning levels are for incident support and for any other requirements?

Peter Silverman

www.cleanhighways.co.uk

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