

From: HOLLINRAKE, Kevin
Sent: 02 March 2016 14:43
To: JONES, Marcus
Subject: HE Trunk road cleansing

Dear Marcus,

Although I had to leave the litter debate early and missed your speech I understand from Peter Silverman of Clean Highways that you re-iterated what had been stated in the Government's response about the cleaning of the All Purpose Trunk Roads (APTRs) on Highways England Network.

The committee had recommended that HE take over responsibility for cleaning those APTRs which they do not already clean. One such road is the A64 between J44 of the M1 and Scarborough. The part which runs through my constituency is invariably badly littered.

In their response the Government stated that:

....to make HE legally responsible for litter collection on all the roads that they operate would need primary legislation and would include complicated alterations to funding arrangements that would reduce the resources available to local authorities

However Peter has pointed out that the government already have powers to transfer cleansing duties from a local authority to a highways authority e.g. Highways England under EPA86 (11). If you follow this link to the [appropriate page on legislation.gov.uk](http://appropriate.page.on.legislation.gov.uk) you will see that there is no annotation to indicate that this section has been amended.

Peter has also drawn my attention to this link to [The Highway Litter Clearance and Cleaning \(Transfer of Responsibility\) \(England\) Order 2009](#). As you will see responsibility for cleaning several APTRs were transferred to by the use of an EPA S86(11) order in 2009.

It would appear therefore that primary legislation would not be required - unless we have missed something.

I would appreciate your comments

Best wishes,

Kevin

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