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Communities and
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Kevin Hollinrake MP
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Dear Kevin,

Thank you for your email of 2 March on behalf of Mr Peter Silverman who has made suggestions as to how the Government might transfer trunk road cleansing duties from a local authority to Highways England.

It is the case that cleansing duties can be transferred. There are a few sections of the all-purpose trunk roads (APTR) network where responsibility for litter clearance was transferred to the then Highways Agency but these cases are rare and it is not general practice.

The Highways Agency, established in 1994, launched a programme to procure road services from the private sector using the Design Build Finance Operate (DBFO) concept, with 30-year concessions for private operators. Many of the APTR routes where Highways England retains litter clearing duties are part of contractual arrangements for DBFO 'concessionaires'.

If the Secretary of State for Transport was to consider making an order to transfer responsibility for litter clearance, there are various complexities that would need to be considered such as handing over funding arrangements for any given road(s) from local authorities to Highways England. The transfer of individual roads from within a local authority's funding allocation would be complicated and very difficult to manage.

The government company Highways England (formerly the Highways Agency) is currently pursuing a policy of collaborative working with local authorities and is identifying best practice to roll out across the country. Its present engagement with local authorities regarding litter tends to be informal. However, a litter partnership agreement, which mirrors agreements it has with local authorities concerning diversion routes, will help build relationships and facilitate better co-ordination of litter clearing operations. Highways England's Midlands region signed a partnership agreement with a number of local authorities in December 2015 which formalised a collaborative approach to working to clear litter. This is already delivering results from widespread sharing of equipment and resources.

As we stated in our response to the DCLG Select Committee's report into litter and fly-tipping, the Government considers it sensible to see the full results of this work in the Midlands before examining the case for more radical reform.

Yours,
Marcus

MARCUS JONES MP