

**From:** Peter Silverman  
**Sent:** 11 November 2016 13:05  
**To:** Nick Harris - Ops. Dir. Highways England  
**Subject:** A13 Litter

Nick, thank your e-mail of 9<sup>th</sup> Nov providing so promptly the information I had requested. It was regarding the cleansing of HE's section of the A13 in Essex including the Grays lay-by that was the subject of my [complaint under S91 of the EPA](#).

#### Cleaning dates for the lay-bay

The contractors claim to have carried out a clean-up on 14<sup>th</sup> Sep. However [this is how it looked the very next day](#).

They also claimed to have carried out a clean-up on 13<sup>th</sup> Oct. Again, [this is how it looked a day later](#).

This [photo montage](#) shows that items of refuse that were there on 15<sup>th</sup> Sep were still there on 14<sup>th</sup> Oct.

I doubt if any meaningful clean-up took place between my two surveys or indeed for some considerable time prior to 14<sup>th</sup> Sep.

This is a clear breach of HE's [EPA S89\(1\) duty](#). There are no issues of practicability that apply. If necessary an operative could visit the lay-by on a daily basis to remove the previous day's litter and sanitise any human waste. His job would be made easier if the vegetation was kept in check.

#### Closing the lay-by

The [lay-by further to the west](#) has already been closed down. The Road Haulage Association tell me that they were made aware by your contractor earlier this year that they were proposing to close a number of lay-bys along the A13 and the A1089 because of the problems of keeping them clean and safety concerns.

Surely the answer is to clean them regularly and keep them open.

It is particularly important to have lay-bys on any high speed trunk road which lacks a hard shoulder. What do you do if you get a warning light on your dash board or feel unwell or tired? What do artic drivers do if they need a 15 minute break to have their lunch or check the security of their load?

Can Connect Plus close these lay-bys without your approval? Can you put a stop on this while the full implications are considered?

#### Section of Connect Plus contract dealing with cleaning / litter-picking

The DfT authors of the [contract](#) effectively said. *“We have a statutory responsibility under the EPA and there is something called the Litter Code of Practice. We cannot be bothered to interpret all of this in the context of our network and produce a proper specification for you to work to. In any case that would mean we would have to go out and check your work. Heaven forbid! So could you have a look at it all and work out what we are supposed to get you to do, and then go on and do it.”*

#### 26 /12/4 weekly cleaning cycles

No documents formalising these cycles have been supplied. Instead the excuse is made that they cannot be implemented because of the J30 upgrade. But why should work on this junction affect your contractor’s ability to clean the rest of the A13? Is it not just more spin?

Any recent inspection reports recording inspections carried out by HE (not the contractor) of the condition of HE’s section of the A13 or correspondence with them drawing their attention to the cleanliness or otherwise of the road.

The report supplied relates to a section of the M25, not the A13. Can you let me have the latest inspection report for the A13 and, in addition any correspondence with Connect Plus over the cleanliness or otherwise of the A13 in say the year prior to my warning notice of 17<sup>th</sup> Sept. (I suspect neither exist).

All of this only goes to confirm my view that the new management at HE have inherited a complete dog’s breakfast from the DfT/ Highways Agency.

Nick, thanks for putting up with yet another of my e-mails.

Kind regards

Peter Silverman  
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