



Department
for Transport

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Our Ref: 192554

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Peter Silverman

Sent via email to: p@petersilverman.com

Dear Peter,

Re: Litter on the Highways England network

Thank you for your email to Philip Rutnam dated 30 March 2017 – following on from the reply you received from a DfT official on the 27 March 2017 in response to your email to Philip Rutnam dated 1 March 2017.

The reply sent to you on the 27 March 2017 explains a number of actions by Highways England in respect of your concerns:

- Highways England's Litter Strategy – which is a high level document and is not intended to spell out the legislative duty.
- Highways England's Stakeholder Advisory Panel – noting that a strategic stakeholder advisory panel will be put in place to advise the Board.
- A13 Essex – litter is cleared in this area fortnightly and more recently it has been targeted for additional clearing. On 7 March a total of 63 bags of rubbish were collected on the A13 and between 8 and 10 March a total of 136 bags of rubbish were collected on the A13, A1089 and A1012. Closures of the laybys in this area were approved by Highways England, Essex Police and Thurrock Council – for the reasons set out in the letter sent to you on the 27 March 2017.

The points of reply are summarised above for completeness. As you have replied that you would prefer a written response to all of the questions you raised in your letter dated 1 March 2017 rather than to meet to discuss, the further explanations below address any residual points.

Highways England's Statutory Watchdog and Monitor

As you point out, ORR monitor how Highways England exercises its functions in relation to delivering the Road Investment Strategy (RIS) – and other duties, such as litter collection, are outside of ORR's scope.

But ORR does reserve the right (though not on-going responsibility) to carry out monitoring in respect of litter clearing where it relates to compliance with the RIS.

It is important that ORR and Transport Focus are able to use current resources available to prioritise which areas of performance to focus on and to carry out their activities in a proportionate and targeted way.

The Department recognises that more could be done to ensure more effective monitoring with regards to litter collection – and this is an area being looked at as part of developing the National Litter Strategy. It would not be appropriate for the Department to comment further on this issue at this time.

Cleansing of APTRs – transfer of responsibility to Highways England

Transferring the cleansing of APTRs from local authorities to Highways England is an area being looked at as part of developing the National Litter Strategy.

It would not be appropriate for the Department to comment further on this issue at this time.

EPA Section 89 Duty and bringing areas up to standard

The Department is taking a number of steps to ensure that Highways England fulfils its duty. For instance, Highways England have recently been asked to identify the worst spots on the network – and these have been targeted for cleaning (*your recent FOI request relating to this issue is being processed*).

The Department will contact Highways England to check your e-mail of the 10 November 2016 is being processed.

Kind regards,

DfT Correspondence