

**From:** Peter Silverman  
**Date:** 15 May 2019  
**To:** Andrew Appiah  
**Cc:** "KAY, Matt" Jesse Norman MP  
**Subject:** M25 contract failings - misleading claims about litter monitoring

For the attention of Andrew Appiah, Department for Transport

Andrew,

Please refer to:

- a. [My e-mail to Roads Minister Jesse Norman of 20<sup>th</sup> March 2019](#)
- b. [A response from Highways England's Area 5 / M25 Highways Manager of 12 April](#)
- c. [A response from the DfT dated 18<sup>th</sup> April](#)
- d. [Answer given by Baroness Sugg on 23<sup>rd</sup> April to a Lords written question from Baroness Randerson](#)
- e. [A letter from Jesse Norman to Robert Halfon MP of 7<sup>th</sup> May](#)

The latter four items contain these references to a process whereby action can be taken if HE's Area 5 / M25 contractor, Connect Plus, fails to comply with their contractual obligations with regard to litter.

*"However, the contract does include a mechanism for awarding performance points where service levels are in breach of contractual obligations. **This covers failure to collect litter within the timescales set out in the DEFRA Code of Practice on Litter and Refuse.** When these accumulate they trigger various sanctions under the contract". (b)*

*"Highways England conduct a regular Environmental Audit inspection to ensure Connect Plus meet their contractual obligations in respect of litter". (c)*

*"Connect Plus are monitored on their performance with respect to removing litter from the strategic road network. Failure to meet their contractual obligations can trigger various sanctions.." (d)*

*".. Connect Plus is monitored on their performance with respect to removing litter from the strategic road network. **This covers failure to collect litter within the timescales of set out in the DEFRA Code of Practice on Litter and Refuse.** Failure to meet their contractual obligations can trigger sanctions...." (e)*

As I understand it these **Environmental Audit inspections** (aka Environmental Amenity Index Audits) are carried out by driving along a 5 km stretch of carriageway chosen at random. Each 1 km section is given a grade from A to D depending on its average cleanliness. These are one-off inspections. **The inspector does not go back at intervals to see if substandard sections have been brought up to standard within any given timescales.** [See [Highways Agency inspections – Concerns about M40 and M25 contracts](#)]

**This mechanism cannot therefore check whether the contractor is collecting litter within the Code of Practice time scales.** In which case **all of the above statements would therefore appear to be misleading.**

Andrew, I would appreciate your comments.

Kind regards

Peter Silverman  
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