



Department
for Transport

Department for Transport
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Dear Mr Silverman,

Thank you for your meeting and subsequent letter to the Minister, who although is now on recess I understand has been reading through some of the documentation you provided. I am writing on his behalf to update you on the work you enquired about. I have broken your queries down by subject for ease.

Highways England Litter Strategy and Statutory Duty

Although there are not frequent mentions of the Environment Protection Act within the Litter Strategy for England, it is within the document. Highways England (HE) are very much aware that the statutory duty applies to them, and are working with Department for Transport to continually improve how sweeping and cleaning of the road network takes place.

As we have said previously in our letter to you in September 2017, Highways England's own litter strategy accords with the Government's Litter Strategy for England's aim to change the behaviour of those who currently feel that it is acceptable to drop litter. Recognising this change in behaviour will take time but Highways England continue to implement and develop national campaigns and initiatives as well as supporting various partners and anti-litter organisations both nationally and regionally. Additionally Highways England are currently refreshing their Litter Strategy which will be published later this year.

Roadside Litter Survey

Department for Environment, Food and Rural Affairs are currently undertaking a roadside littering survey to assess the level of cleanliness on trunk roads cleared by Local Authorities, Highways England are also updating their contracts to enable more frequent assessments of roadside litter. This work involves bringing key functions, such as inspections, in house from contractors to enable greater control of their performance. There is no ambiguity to Highways England and DfT that Highways England must keep the roads clear of litter when practicable – as stated in the statutory duty, as well as meeting the gradings set out in the Code of Practice.

Road Investment Strategy (RIS2) Metric

The next RIS period begins in 2020. Highways England, Defra and DfT have been working together to develop a robust metric for this RIS. Introducing a metric on this timescale enables good planning and the time for Highways England to prepare for delivering it, as well as for Office for Road and Rail to plan how they will monitor it. Office for Road and Rail and Transport Focus have been engaged in this decision making process as well, and collectively we will ensure any metric will deliver greater transparency and robust data on the state of roadside littering on the Strategic Road Network.

Road Safety

You make the point that Highways England do not hold data that suggests there have been any injuries caused by litter picking on the Highways England road network. There have however been injuries on the road network to Highways England staff, as documented in Highways England publications and previous correspondence you have received, and therefore it is important that safety is taken into consideration for those working on the road network.

Waste Transport Vehicles / Prosecution

Highways England do not prosecute, as its focus is safety and maintaining the road network. HE work with the Police and the DVSA to ensure enforcement is carried out where particular issues are evident. This is the most effective method of enforcement because the Police and other authorities can look at a range of potential infractions in one go, rather than HE doing so in isolation.

The Driver and Vehicle Standards Agency works with Highways England to issue prohibitions when a load is unsafe and the vehicle then has 60 minutes to be secured properly. Load security tends to be checked in the course of more general roadside checks, and vehicles in violation are issued a fine and prohibited from moving until the issue is resolved. So far this year (from 1st April to late July) the Driver and Vehicle Standards Agency has issued over 450 prohibitions (accompanied with a fixed penalty) for insecure loads.

Updated contracts

Highways England are updating their contracts, part of which will cover the sweeping and cleaning of the roadside, which will allow for greater flexibility to improve monitoring and cleaning the roadside of litter. The last of these contract updates, which are ongoing in a phased approach, will take place in 2019 for the most part and will be fully complete in 2022 (subject to any necessary changes.)

Lastly, as I understand you have been in contact with the Minister's Private Office, can I ask that you send any enquiries via myself or Andrew Appiah as we will be responding on behalf of the Minister anyway so this way your correspondence will reach us more directly? This way your inquiry will be dealt with more quickly.

Many Thanks,
Alexandra Beaumont