

Subject: Letter before Judicial Review - RIS 2 & litter
Date: Monday, 17 February 2020 at 11:59:52 Greenwich Mean Time
From: Peter Silverman - Clean Highways
To: Andrew Appiah
CC: TransportSecretary@dft.gov.uk, Bernadette Kelly - Permanent Secretary DfT
BCC: Michael Pease

Andrew,

Thank you for acknowledging [my letter of 10th February](#).

Referring to section 8 of my letter I was disappointed that you did not take the opportunity to answer (a) and supply the information requested in (b) and (c) in the time scale set in (d) or say whether or not the information was held.

Please note that in (b) and (c) I asked for copies of documentation as “they appear in the most up to date draft / version of RIS 2”. This of course means as they were extant on 10th February. I still require this information even if you go on to provide me with a copy of revised objectives / KPIs etc under (f). Hopefully you will now provide responses to (b) and (c) by return.

Not having this information to hand makes it difficult to provide you with any feedback to that might assist you in revising the relevant sections of RIS 2.

I would just say that an approach based on the Code of Practice on Litter’s “last resort” response times is not going to work in setting HE objectives / KPIs for litter. Please refer to [Highways England Area 4 cleaning spec relies on COPOL response times](#) and [DfT ignore criticism of wrongful claims about M25 litter audits](#).

On a positive note the approach expounded in [an e-mail to Michael Pease](#) of 10th February from Highways England is more likely to work. It says in the context of litter on the M60: “We have recently changed the way we deliver our ongoing maintenance programme from reacting to problems to a proactive programme of continual maintenance”.

Scheduled rather than reactive cleansing is what should be specified.

Kind regards

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