



Department
for Transport

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Our Ref: 298670

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Ms Janet Prendiville
By email: a27cleanup@gmail.com

Dear Ms Prendiville,

Thank you for your emails of 23 May and 5 July 2020, addressed to the Parliamentary Under-Secretary, regarding shredded litter on the A27. Your enquiry has been passed to the Correspondence Team, Strategic Roads division for a response.

We are sorry for the delay in replying. Highways England have informed the Department that the strimming was due to be carried out on the Monday 15 June, but the local highway authority (LHA) litter crew was not able to get to the site until the following day, Tuesday 16 June. Highways England have indicated that it has been in conversation with the LHA regarding this matter, and put additional measures in place to try and ensure they can align their works with Highways England in the future.

We understand that Lewes District Council have cleared a large amount of litter and detritus on the A27 during Highways England's road closures. They have now appointed a single point of contact and given assurances that they will send someone out to all Highways England's vegetation clearing works if given one weeks' notice.

We can also confirm that Maria Caufield MP has discussed the issue with the Parliamentary Under-Secretary. As there would be financial implications for Highways England to do this, as well as contractual and wider policy considerations to take into account, Department officials have asked it to evaluate the cost of removing litter on All Purpose Trunk Roads (APTRs). Officials are working closely with Highways England to understand what the costs, impact and timescales of this would be, whether through a targeted approach that focuses on the A27 or otherwise.

The legislative process requires Highways England's agreement and it is for it to request to the Secretary of State that they wish to take over responsibility

for litter cleaning from the LHA. The Order under S.86 (11) of the Environmental Protection Act 1990 to transfer the S.89 litter duty to Highways England can only be made, if the following requirements are met:

- Highways England must be the highway authority for the relevant highway;
- Highways England must request the Secretary of State to make the Order;
- The local authority(s) that currently have responsibility for the S.89 duty must be consulted;
- The Secretary of State must be satisfied that “it appears to him to be necessary or expedient to do so [make the Order] in order to prevent or minimise interference with the passage or with the safety of traffic along the highway or road in question”.

It is important to manage any expectations and to date there has been no decision to change the current position for cleaning and removing litter on the A27 and all LHAs remain responsible for this. We expect Highways England to do what is required to support the LHAs in meeting their statutory duties on removing litter on this part of the network.

Thank you for writing in with your concerns.

Yours sincerely,

Correspondence Team, Strategic Roads, Economics and Statistics