

Our Ref: EIR 101617

Mr Andrew Wright
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05 March 2021

Dear Mr Wright

Request for information under the Environmental Information Regulations 2004

Thank you for your request for information dated 25 November 2020. Your request has been dealt with under the terms of the Environmental Information Regulations 2004.

This is because the information requested concerns measures and activities affecting or likely to affect elements of the environment or affect factors such as noise, pollution discharges and other releases into the environment.

Please accept my apologies for the delay in responding to you.

On 8 October 2020 we refused your request (EIR 101435) regarding:

Overgrown verges declared 'death trap' at busy M6 junction with A500
<https://www.stokesentinel.co.uk/news/stoke-on-trent-news/overgrown-verges-declared-death-trap-4517118> ***All complaints about the junction in the last 3 years***

This was because it was formulated in too general a manner. We advised you how you could provide a more focused request and on 25 November 2020 you said:

complaints about vegetation and rubbish.
the dates on which Highways England attended this location to remove vegetation and rubbish and when your agent was there who is responsible for clearing vegetation and rubbish at this location. your agent.
what are your obligations e for clearing vegetation and rubbish at this location? and what about your agent.

All instructions to the agent

When your agent was there what they did and what you've told them about dealing with it and what they have said.

how much it has cost Highways England to attend this location in order to remove vegetation and rubbish.

We have interpreted this to be a request for information about the M6 junction 15 from 26 November 2017 to 25 November 2020

We have now completed our search for this information and I can confirm that we hold some of it.

1. *complaints about vegetation and rubbish.*

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2. *the dates on which Highways England attended this location to remove vegetation and rubbish*

On 29 September 2020 Kier, our maintenance agent, cut back the vegetation on the roundabout. On 2 December 2020, Kier cut back vegetation on the footpath and also cleared leaves. They also cleared signs that were obstructing the footpath and moved them to the verge.

During the course of this inquiry, I have established that there was a misunderstanding about the boundary of the maintenance area and the adjacent smart motorway major scheme limits at this location. This has now been resolved.

Highways England are responsible for litter collection on motorways and a small number of trunk roads. Local authorities manage litter collection on the majority of trunk roads and all other public roads in England. Please find attached a pdf titled 'Highways England Litter Strategy' which includes a map to show this.

Therefore, we do not hold information about when litter was collected at this location, as it is the local authority's responsibility. If you have not done so already, you may wish to contact Stafford Borough Council for this information. They can be emailed at streetscene@staffordbc.gov.uk. We will inform the local authority if we are setting traffic management to help them execute this responsibility.

3. *and when your agent was there*

Please see our response to question 2.

4. *who is responsible for clearing vegetation and rubbish at this location. your agent.*

During normal operation of the network Kier, our maintenance agent, is responsible for clearing vegetation and discarded traffic management, for example temporary signs, at this location.

As indicated in question 2, Stafford Borough Council is responsible for litter collection at this location.

5. *what are your obligations for clearing vegetation and rubbish at this location?*

As above, we have no obligations for clearing litter at this location.

Once reported via the public or observed by a Highways Inspector, we will clear discarded traffic management that is deemed a risk to highway users.

Kier, as our agents during normal operation, will once a year visit the location and remove vegetation that is restricting visibility. Ad hoc visits will also be made for repeat locations if visibility is further compromised.

6. *and what about your agent.*

Our agent Kier, has no obligations for clearing litter at this location.

Please see our response to question 5 regarding our agent's obligations for clearing vegetation and discarded traffic management.

7. *All instructions to the agent*

We instructed Kier to attend the site to make it safe and serviceable.

8. *When your agent was there.*

Please see our response to question 2.

9. *what they did*

Please see our response to question 2.

10. *and what you've told them about dealing with it*

Please see our response to question 7.

11. *and what they have said.*

Please see our response to question 2.

12. *how much it has cost Highways England to attend this location in order to remove vegetation and rubbish*

Following a search of our electronic [and paper] records, I have established that the information you have requested is not held by

Highways England. It therefore falls under Regulation 12(4)(a) of the Regulations.

Kier, our agent, manage vegetation as part of the contractual arrangement covering the whole of the strategic road network within the West Midlands. As such costs are not itemised per location.

It has cost us nothing to remove litter, as it is the local authority's responsibility to clear litter at this location.

If you are unhappy with the way we have handled your request you may ask for an internal review within 2 months of the date of this response for Freedom of Information requests and within 40 days for Environmental Information Regulations requests. Our internal review process is available at:
<https://highwaysengland.co.uk/about-us/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number EIR 101617 in any future communications.

Yours sincerely



Victoria Lazenby
Head of Planning and Development West Midlands