

2009 No. 2677

ENVIRONMENTAL PROTECTION

The Highway Litter Clearance and Cleaning (Transfer of Responsibility) (England) Order 2009

<i>Made</i> - - - -	<i>2nd October 2009</i>
<i>Laid before Parliament</i>	<i>7th October 2009</i>
<i>Coming into force</i> - -	<i>30th October 2009</i>

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by section 86(11) of the Environmental Protection Act 1990(a).

In accordance with paragraphs (b) and (c) of that subsection of that Act the Secretary of State has consulted with the local authorities of Dartford, Elmbridge, Guildford, Havering, Hertsmere, Hillingdon, Reigate and Banstead, Runnymede, Sevenoaks, South Buckinghamshire, Spelthorne, St. Albans, Swale, Thurrock and Windsor and Maidenhead and it appears to the Secretary of State to be necessary or expedient for the following Order to be made in order to prevent or minimise interference with the passage or with the safety of traffic along the highway.

Citation application and commencement

1. This Order—

- (a) may be cited as the Highway Litter Clearance and Cleaning (Transfer of Responsibility) (England) Order 2009;
- (b) applies in England; and
- (c) comes into force on 30th October 2009.

Transfer of Responsibilities to the Secretary of State

2. On the date on which this Order comes into force, there shall be transferred to the Secretary of State for Transport from each local authority listed in column 1 of the Schedule to this Order the responsibility for the discharge of the duties imposed by section 89 of the Environmental Protection Act 1990 as respects the part or parts of the highway or highways specified in relation to that local authority in column 2 of that Schedule.

Signed by the authority of the Secretary of State for Transport

2nd October 2009

Sadiq Khan
Minister of State
Department for Transport

(a) 1990 c. 43.

SCHEDULE

1. NAMES OF LOCAL AUTHORITIES	2. PARTS OF HIGHWAY FOR WHICH RESPONSIBILITY FOR THE DISCHARGE OF THE DUTIES ARE TRANSFERRED.
Reigate and Banstead Borough Council	That part of the A23 trunk road southwards from the boundary between the London Borough of Croydon and the Borough of Reigate and Banstead to the M23 motorway at Junction 7.
Guildford Borough Council	That part of the A3 trunk road northwards from the junction with the B2039 to the boundary between the Boroughs of Guildford and Elmbridge.
Elmbridge Borough Council	That part of the A3 trunk road northwards from the boundary between the Boroughs of Guildford and Elmbridge and the Royal Borough of Kingston upon Thames.
Runnymede Borough Council	That part of the A30 trunk road westward between the junction with the A308 at Runnymede Roundabout and the boundary between the Borough of Runnymede and the Royal Borough of Windsor and Maidenhead.
Royal Borough of Windsor and Maidenhead	That part of the A30 trunk road eastwards from the boundary between the Royal Borough of Windsor and Maidenhead and the Borough of Spelthorne.
Spelthorne Borough Council	That part of the A30 trunk road eastwards from the boundary between the Borough of Spelthorne and the London Borough of Hounslow. That part of the A316 trunk road eastwards from Junction 1 of the M3 Motorway to the boundary between the Borough of Spelthorne and the London Borough of Hounslow.
London Borough of Hillingdon	That part of the A3113 trunk road eastwards between the junction with the M25 Motorway at Junction 14 and the junction with the A3044.
South Buckinghamshire District Council	That part of the A40 trunk road eastwards between the junction of the M40 Motorway at Junction 1 and the boundary between South Buckinghamshire District Council and the London Borough of Hillingdon.

St Albans City and District Council	That part of the A405 trunk road eastwards between the junction of the M1 Motorway at Junction 6 and the junction of the M25 at Junction 21A. That part of the A414 trunk road eastwards from the boundary between St Albans City and District Council and Dacorum Borough Council and the junction of the A405.
Hertsmere Borough Council	That part of the A1 trunk road southwards between the junction of the A1(M) Junction 1 and the boundary between the Borough of Hertsmere and the London Borough of Barnet.
Thurrock Borough Council	That part of the A13 trunk road eastwards from the boundary between the Borough of Thurrock and the London Borough of Havering and the junction with the A1089 trunk road southwards between the junction with the A13 and the boundary of the A126 at the centre of Tilbury Dock Gates.
London Borough of Havering	That part of the A1023 trunk road eastwards between Junction 28 of the M25 and Brook Street Junction.
Dartford Borough Council	That part of the A2 trunk road eastwards from the boundary between the Borough of Dartford and the London Borough of Bexley and the junction of the M25 at Junction 2.
Sevenoaks District Council	That part of the A20 trunk road eastwards from the boundary between Sevenoaks District Council and the London Borough of Bromley at the junction of the M25 Motorway at Junction 3.
Swale Borough Council	That part of the A249 trunk road northwards between the junction with the M2 Motorway at Junction 5 and the junction with the A250.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 89 of the Environmental Protection Act 1990 places a duty on each local authority to ensure that land comprised in the highways maintainable at the public expense within its area (other than motorways) are so far as is practicable, kept clean and clear of litter and refuse. Section 86(11) empowers the Secretary of State to transfer responsibility for the discharge of these duties as respects all or any part of such a highway from the local authority to the highway authority for that highway.

This Order transfers responsibility in respect of those parts of the trunk roads listed in the Schedule from the local authorities who would otherwise be responsible, to the Secretary of State for Transport who is the highway authority for them. The transfer becomes effective on 30th October 2009.

An impact assessment has not been produced for this instrument as no impact on the costs of the private, public or voluntary sector is foreseen.

The Explanatory Memorandum for this Order is available alongside the instrument on the OPSI website (www.opsi.gov.uk).

© Crown copyright 2009

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-11-148597-2

£4.00