

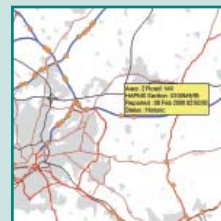
Memorandum of Understanding

between the

Environment Agency

and the

Highways Agency



**ENVIRONMENT
AGENCY**



**HIGHWAYS
AGENCY**

An Executive Agency of the
*Department for
Transport*

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Part One: the Memorandum of Understanding

1. The Parties

Highways Agency (HA)

Environment Agency (EA)

(Together the 'Parties')

The Environment Agency is a Non-Departmental Public Body of the Department for Environment, Food and Rural Affairs and an Assembly Sponsored Public Body of the National Assembly for Wales.

The Environment Agency's principal aim is to protect and enhance the environment and in doing so to contribute to sustainable development.

The Highways Agency is an Executive Agency of the Department for Transport and is responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State for Transport.

The Highways Agency has a major role in delivering the Government's strategy for transport planning for 2014 and beyond "Delivering a Sustainable Transport System". It is also charged with supporting wider Government policy. In January 2009 the future Motorways and Major Trunk Roads Programme was published, setting out how the Government plans to invest up to £6 billion to increase capacity on the nation's busiest strategic roads.

2. Purpose of this Memorandum of Understanding

This Memorandum of Understanding (MoU) will help the Parties to co-operate effectively at operational, tactical and strategic levels in areas of mutual interest and will support the delivery of corporate strategies and objectives. It encourages actions that will:

- contribute to achieving Government policies on the environment, planning, regeneration and transport, underpinned by sustainable development
- minimise risks to people and the environment.

At a detailed level, the Parties seek to:

- reduce and respond effectively to environmental incidents
- manage flood risk

- maintain and, where possible, improve water and air quality, and minimise the risk of land contamination
- remediate contaminated land
- improve the management of waste and encourage resource efficiency
- exchange relevant information
- promote and support health and safety on the road network
- support Government policies on sustainable development, including sustainable procurement.

3. How the Parties will work together

The Parties will:

i) Improve communication by:

- recognising each Party's concerns and priorities and supporting and contributing to each Party's projects and plans
- maintaining and improving liaison at national and regional levels and exchanging relevant information
- agreeing clear lines of communication for shared public relations matters, including press releases and branding
- identifying opportunities for joint training.

ii) Maximise opportunities, minimise risks and identify efficiencies by:

- recognising and promoting best practice particularly in relation to sustainable development and procurement
- identifying better ways of working and new technologies that will benefit the partnership
- exploring and agreeing opportunities for collaborative research
- identifying environmental risks across the highway network and appropriate mitigation measures
- collaborating on environmental incident reporting, response and remediation
- integrating planning, where appropriate, to assist the development and implementation of each Party's policies and projects
- developing and sharing safe working practices and ensuring the principles are implemented across all areas of mutual interest

- exploring opportunities for resource efficiency and reducing waste.

iii) Continue to improve by:

- promoting the general principles of this MoU with other stakeholders and partners
- regularly reviewing and updating the MoU, supporting annexes and related guidance
- on request, clarifying the requirements of environmental or other legislation.

4. Legal Effects

This MoU will not affect the statutory duties, responsibilities or other legal rights and obligations of either Party.

5. Finance

The Parties will use best endeavours to deliver the agreed work areas and activities covered by Annexes 1 to 4, subject to their duties and constraints.

In line with our statutory duties, and unless agreed prior to work initiation, the Parties will finance their own parts of any joint working arrangement and be responsible for recovering their own costs.

6. Confidentiality

Any information disclosed by either party which is declared as confidential must be treated as confidential.

Any information disclosed which the recipient party should reasonably be expected to know is confidential, must also be treated as confidential.

All confidential material must be handled in compliance with the Freedom of Information Act and Data Protection Act.


The Parties will take all reasonable steps to ensure compliance with the above confidentiality provisions by their employees, agents and sub-contractors.

7. Joint Review

Part One, the Memorandum of Understanding, will be reviewed when requested by either Party.

Part Two, the Annexes, will be reviewed annually, or by request from either Party.

FOR HIGHWAYS AGENCY



Graham Dalton

Chief Executive

Date... 30 Nov 2009

FOR ENVIRONMENT AGENCY



Paul Leinster

Chief Executive

Date... 30 Nov 2009

Part Two: the Annexes

Note: joint research applies to Annexes 1 to 4

1. Water Environment

This Annex identifies the activities, relevant legislation and consent required when building or maintaining a highway. It sets out how the Parties will work together to manage flood risk, protect the water environment and implement the Water Framework Directive.

2. Waste

This Annex identifies the construction, maintenance and operational activities that are subject to regulation by the Environment Agency, and establishes a framework for more effective management of waste.

3. Incident Management

This Annex identifies the areas of mutual interest and primary legislation with respect to:

- incidents on the highway that have the potential to impact on people and the environment;
- events such as flooding, which could affect the safety and operation of the highway network.

It sets out how the Parties will work together and with others to reduce the likelihood and consequence of incidents, to reduce their impact on the environment and / or travelling public.

4. Information Exchange

This Annex identifies the areas of mutual interest for information sharing. It highlights how the Parties will work together to promote and exchange information efficiently and effectively to meet their mutual objectives.

5. Contacts

This Annex identifies relevant contacts within both organisations and is for use primarily by the National Governance Group.

For further information, please contact:

Highways Agency

Highways Agency Information Line (HAIL)

Telephone 08457 50 40 30

E-mail ha_info@highways.gsi.gov.uk

Environment Agency

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