

# News Release

28 October, 2020



## High Court to rule on air quality challenge to “largest ever” roads programme

FOR IMMEDIATE RELEASE

Campaigners are taking the Department for Transport (DfT) to the High Court at a hearing this Thursday 29th October [1]. Transport Action Network (TAN) is seeking permission to bring a judicial review of the “largest ever” roads programme [2] on air quality grounds. It was granted the right to challenge its climate impacts in July, shortly after bringing the case.

The Government says it was justified in only considering the environmental impacts of its second Road Investment Strategy (RIS2) on a scheme by scheme basis. TAN’s case is that ministers were under a legal duty to consider the full effects on the environment when approving RIS2 and cannot pass that down the line to individual road projects. For instance, the programme is proposing seven road schemes around London to be built between 2020 and 2025, five around the West Midlands, and five around Greater Manchester. There has been no assessment of the combined impact of road building on each of these cities, despite their air breaching legal limits since 2010.

**Chris Todd, TAN’s director, said:**

*“While the High Court has already agreed to put the DfT in the dock on its climate record, it’s only right ministers should answer to the public how on earth their roads plan is compatible with clean air.*”

*“As our biggest cities try to reduce car use to cut carbon and pollution, how can dumping the largest ever roads programme on their doorsteps help? The DfT likes to say its analysis of transport projects is world leading, so why won’t it add up the full environmental costs of its roads programme?”*

The DfT’s most recent survey shows that 73% of the public are concerned about the environmental impacts of road-building. Similarly polling from the Conservative Environment Network suggests only 9% of the public support road-building to help the economic recovery from Coronavirus [3]. Health bodies such as the Royal College of Physicians say exposure to air pollution is the top environmental risk to human health in the UK, with new research out this week suggesting a fifth of COVID-19 deaths are linked to air pollution[4].

While 61 English local authorities have been formally directed by the Department of Environment, Food and Rural Affairs to come up with plans to bring air quality within legal limits as soon as possible. By contrast Highways England, the DfT owned company that runs motorways and busy trunk roads still does not have a plan to tackle emissions. The Strategic Road Network makes up only 2% of the road network but contributes 39% of carbon emissions from road transport, and a similarly high proportion of air pollution.

**Todd continued:**

*“The Government is increasingly telling our cities how to run their transport systems. Meanwhile it is letting its roads company, Highways England, off the hook on air pollution, so it can build ever bigger roads. It’s another case of them and us, with there being one rule for local authorities and another for the Government.*

*“If we win our case, the money earmarked for the largest ever roads programme could be turned over to councils. This would help them fix local roads, improve public transport and active travel and cut air pollution across the country.”*

-ENDS-

## Notes for editors

1. *R (Transport Action Network Ltd) v SST and Anor* [CO/2003/2020] will be heard remotely by Mrs Justice Laing via MS Teams at 11.30am on 29 October 2020. Joining details can be obtained via TAN or the High Court. TAN is represented by Leigh Day solicitors, David Wolfe QC (Matrix chambers) and Pete Lockley (11 KBW). Case materials can be read at [RIS2 Legal Action](#).
2. At its launch alongside the Budget, the [second Road Investment Strategy](#) (RIS2) was described by the Chancellor as England’s “largest ever” road-building programme. Costing over £27 billion, it involves thousands of miles of roads from Cornwall to Northumberland.
3. Polling: Table NTAS0201f (August 2020) in [National Travel Attitudes Study \(NTAS\) - GOV.UK](#) and [20-048044-01 Conservative Environment Network Green Economic Recovery Polling V1 public.xlsx](#).
4. [Regional and global contributions of air pollution to risk of death from COVID-19](#).

## Press contacts

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TAN helps local communities fighting damaging road schemes and savage bus cuts. Although a new organisation it brings together people with over 50 years’ experience of environmental campaigning. More information at: [Transport Action Network](#)