

News Release

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Campaigners launch legal challenge against UK Government as it hosts UN climate summit

FOR IMMEDIATE RELEASE

Climate campaigners have marked the fifth anniversary of the Paris Agreement with a legal challenge against the Government. Hours before the UN Climate Ambition Summit 2020 [1] started, Transport Action Network (TAN) served a judicial review on the Department for Transport (DfT), after it refused to rethink its roads policy. In the last five years, transport emissions have become the biggest contributor to climate change, making up 28% of the UK's domestic emissions, almost all of these coming from roads.

Designated in 2014, the little known "National Policy Statement for National Networks" effectively bans campaigners, planning inspectors and judges from considering the carbon emissions of individual road schemes. It states that because the Government has "a credible plan for meeting carbon budgets...any increase in carbon emissions is not a reason to refuse [road] development" [2]. Yet in March the Secretary of State for Transport admitted he lacked such a plan, acknowledging "[we] will use our cars less" and calling for "the beginning of a conversation to develop the policies needed to decarbonise transport" [3].

Chris Todd, Director of Transport Action Network, said:

"Since this roads policy was approved in 2014, surface transport emissions have barely changed and are now the biggest source of carbon. It's clearly time for a radical rethink, rather than ramming through ever more damaging roads.

"With the world's attention falling on the UK as it co-hosts COP26, if our transport emissions don't plummet quickly, our reputation will. Ministers have dithered for far too long and, unless they quickly concede, will end up being embarrassed in the dock next year. Long term ambitions are welcome but will be undermined unless Grant Shapps takes his foot off the gas right now."

The case comes as the Government seeks to shift gear to accelerate its £90 billion roads programme with "Project Speed" [4]. By contrast it took ministers seven months of dither and delay until deciding on 23 October to refuse TAN's request for a review of roads policy. Officials failed to tell TAN until a third of the way into the six week legal challenge period.

They then refused to disclose any document about the decision until the day before the deadline and continue to refuse to share key information.

Todd continued:

“Ministers want to build ever more roads at a time they admit we need to use our cars less. The Government’s plan to speed up road-building should really be called ‘Project Carbon’. It highlights the gaping chasm between announcements and action when it comes to tackling climate change.”

The legal challenge also demands the DfT reviews its policy on air quality, natural capital (such as biodiversity) and good design, in recognition of significant changes in all these areas since 2014. TAN is represented by Leigh Day solicitors, David Wolfe QC (Matrix chambers) and Pete Lockley (11 KBW), the same team that defeated the DfT over Heathrow expansion in February. These lawyers are also representing TAN in the challenge it brought in July against the DfT’s decision to approve Road Investment Strategy 2. This case, *R (Transport Action Network Ltd) v SST and Anor* [CO/2003/2020], is expected to be heard in the High Court in early 2021.

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Notes for editors

1. The [UN Climate Ambition Summit](#) is described as a major step on the road to the delayed COP26 summit that will now be held in Glasgow in November 2021. World leaders from seventy countries are expected to speak.
2. Paragraph 5.18 in [National Policy Statement for National Networks](#). Although there is an exception for schemes that would, in isolation, affect the ability for the UK to meet its climate targets, no single scheme in practice would ever do this.
3. Page 4 in [Creating the transport decarbonisation plan](#). The plan was supposed to be published by November but is now delayed to spring 2021.
4. The £90 billion figure represents funding allocated between 2020 and 2035 for Highways England and was revealed by the [Office of Rail and Road](#) (figure 3.2) in March. The Prime Minister announced [Project Speed](#) in June.

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](#)