

News Release

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“Time to stop dancing around decarbonisation” Department for Transport told

FOR IMMEDIATE RELEASE

Campaigners fresh from a legal battle with the Department for Transport say that its Transport Decarbonisation Plan cannot be credible, unless it abandons the roads programme. The much delayed Plan is rumoured to be published this Wednesday 14th July, coinciding with the start of a new consultation on the UK’s largest road scheme in a generation, the Lower Thames Crossing [1].

Chris Todd, Director of Transport Action Network said:

“As heat records tumble across the globe, it’s ever more obvious we need coherent steps not contradictory actions. Yet after decades of dither and delay in cutting transport emissions, the Department for Transport remains unable to face up to the facts or take hard choices.”

“Even if, as expected, the plan encourages a faster shift away from petrol and diesel vehicles, hitting carbon targets requires making driving less attractive too. Building ever bigger roads for ever bigger cars, even if electric, still has a major carbon cost for construction and manufacturing. With a 78% cut in emissions by 2035 recently written into law, it’s high time for ministers to pension off the roads programme.” [2]

Transport Action Network (TAN) took the Secretary of State for Transport’s decision to approve the £27 billion second Road Investment Strategy (RIS2) to the High Court at the end of June [3]. At issue was whether Grant Shapps had had regard to the climate change impacts of the “largest ever roads programme”. RIS2 covers only 2020-2025 and is the first part of a £100 billion programme up to 2035 [4].

The Government’s QC argued at the High Court that there was no need for transport to hit zero emissions or even adopt climate targets, and that the carbon cost of road-building could be offset by tree-planting. Under pressure from the judge, Mr Justice Holgate, to stop “dancing around”, the QC was forced to admit that Mr Shapps had in fact had no information about the carbon impacts of RIS2 when he approved it. Judgment was reserved and is expected in the next few weeks.

In a separate legal challenge started in March 2020, TAN is seeking that ministers update the roads (national networks) national policy statement [5]. Dating from 2014, this creates legal presumptions of a “national need” for road-building and against considering carbon impacts. In October, Grant Shapps overruled officials’ advice to review the policy. By

contrast in December, the Energy White Paper accepted energy policy had to be changed in light of the new net zero target. Yet Shapps further refused a review this March, requiring TAN to bring a third judicial review. TAN believes it will not be possible for the DfT to avoid committing to a review of transport policy this time around. A separate decision is imminent from the High Court on this case.

Chris Todd, Director of Transport Action Network concluded:

“Over a tenth of the UK’s carbon is emitted from England’s Strategic Road Network [6]. To be climate credible, the Government needs a Road Investment Strategy to slash emissions by 2030, not add to them. A strategy for thousands of miles of cycle routes, busways and average speed cameras, not 50 major road schemes.

“The evidence for a roads reset could not be stronger. But because of ministers’ asphalt addiction, only a rising tide of legal challenges appears capable of making them face up to reality.”

-ENDS-

Notes for editors:

1. A new consultation on the Lower Thames Crossing’s environmental impacts starts on 14 July: [About the Lower Thames Crossing](#). The £6.4 - £8.2bn project is the largest in the roads programme and would lead to over 5 million extra tonnes of carbon, according to [Highways England data](#) released under the Freedom of Information Act. The scheme is opposed by the [Thames Crossing Action Group](#)
2. This is the equivalent in percentage terms to what was legislated in June 2021 by [The Carbon Budget Order 2021](#).
3. *R (Transport Action Network Ltd) v Secretary of State for Transport and Another* [CO/2003/2020] was heard at the Royal Courts of Justice on 29 & 30 June by Mr Justice Holgate. TAN was represented by Rowan Smith at Leigh Day solicitors, David Wolfe QC (Matrix Chambers) and Peter Lockley (11 KBW). The following are available online: [Road Investment Strategy 2 \(RIS2\): 2020 to 2025](#), [TAN’s press release at the start of the case](#) and [TAN’s case pleadings and evidence](#).
4. See figure 3.2 in [RIS2 Efficiency Review – ORR’s advice on Highways England’s Draft Strategic Business Plan for the Second Road Investment Strategy](#). Housing Infrastructure Fund and additional long-term funding for local authority road-building brings this up to £100bn.
5. See [National Policy Statement legal challenge – Transport Action Network](#).
6. The UK’s 2019 net domestic CO2 emissions were 351.5 MtCO2, while the SRN figure was 35.6 MtCO2 for 2015 but emissions did not decrease before the pandemic. Note this only includes tailpipe emissions and ignores wider emissions. RIS1, published in 2014, required Highways England to develop a metric of carbon emissions “arising from use of the Network”. This was due to be in place by 2020 but quietly dropped when RIS2 was published.

Press contact

Chris Todd - Director - 07889 302229 chris@transportactionnetwork.org.uk

TAN helps local communities fighting damaging road schemes and savage bus cuts. Although only established in 2019, it brings together people with over 50 years' experience of environmental campaigning. More information at transportactionnetwork.org.uk.