

# Transport Action Network

## *News Release*

### **Campaigners start legal challenge to “largest ever” roads plan**

Tuesday 21 April, 2020

Lawyers acting for Transport Action Network (TAN) have asked the Department for Transport (DfT) and Highways England to scrap their roads plan or face a court challenge [1].

At its launch alongside the Budget, Road Investment Strategy 2 (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. The campaigners claim the plan breaches climate and air quality laws. They are relying on the Court of Appeal’s decision this February that ruled Heathrow expansion was illegal because ministers had ignored the UN Paris Agreement.

**Chris Todd, TAN’s director, said:**

*“The DfT has fiddled with ideas like green number plates while the planet overheats. Road transport is now the single biggest source of UK carbon emissions. How can the DfT claim to take climate change seriously when it is set to burn billions on the ‘largest ever roads programme’ to make things worse?”*

In light of the Heathrow judgment, TAN wrote to the Secretary of State for Transport, asking for a rethink of roads policy. No reply was ever received, instead the Government launched RIS2 on 11 March [2]. Two weeks later, in a remarkable shift in policy, the DfT started consulting on a decarbonisation plan, accepting for the first time that reductions in traffic would be needed alongside new technology if it was to achieve net zero emissions [3].

**Todd continued:**

*“In the last few weeks ministers have said they want to go ‘further and faster’ to tackle climate change, finally recognising we need ‘to use our cars less’. Planning for RIS2 started in 2015, quite simply a different era. This massive roads programme is like a juggernaut that’s out of control. We have no choice now but to go to court to prevent an unfolding disaster.”*

**Rowan Smith, environmental law solicitor at Leigh Day, said:**

*“Our clients are raising legitimate concerns over the Government’s decision to invest huge sums of public money into the road network. The Department of Transport recently accepted that the climate emergency necessitates a shift towards sustainable travel. So our clients*

*question the appropriateness of proceeding now with Road Investment Strategy 2, which would mean vast amounts of carbon and pollutants emitted into the atmosphere, with inevitably disastrous effects on the environment.*

*"Our clients are therefore arguing that the Government ought to have properly assessed the climate change and air pollution impact of these proposals before going ahead."*

The campaigners are seeking to raise £38,000 via the Crowdfunder platform [4] to cover legal fees to challenge the £27 billion plan.

**Rebecca Lush, TAN's local campaigns support officer, ended:**

*"No one wants the coronavirus lockdown to be permanent but it has shown how some trips like being stuck in rush-hour traffic could become unnecessary in future. This legal challenge is coming at a perfect time to give us space to breathe and rethink roads policy."*

## Notes for editors

1. TAN is represented by Leigh Day solicitors, David Wolfe QC (Matrix chambers) and Pete Lockley (11 KBW), the same legal team that was victorious in the Heathrow case. The letter before action sent to the DfT can be viewed at: <https://transportactionnetwork.org.uk/wp-content/uploads/2020/04/PAP-Letter-LD-to-DFT-09-04-2020-FINAL-cleaned.pdf>
2. RIS2 was published at: <https://www.gov.uk/government/collections/road-investment-strategy-post-2020>
3. The DfT's Decarbonising Transport consultation can be found at: <https://www.gov.uk/government/publications/creating-the-transport-decarbonisation-plan>
4. The fundraiser will go live at 00:01 this Wednesday at: <https://www.crowdfunder.com/case/stop-largest-ever-roads-programme/>

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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: <https://transportactionnetwork.org.uk/>