

Legal Challenge on Heathrow Expansion



Solicitors Harrison Grant acting on behalf of Hillingdon, Richmond, Wandsworth and Windsor and Maidenhead Councils, together with Greenpeace and a Hillingdon resident have today sent a letter, under the Judicial Review Pre-Action Protocol, to the Secretary of State for Transport.

The letter gives the Government a period of 14 days in which to withdraw its decision, issued on 25 October to support a third runway at Heathrow. If it fails to do so, judicial review proceedings will

be commenced in the High Court, without further notice to the Government, on the basis that the Government's approach to air quality and noise is unlawful and also that it has failed to carry out a fair and lawful consultation exercise prior to issuing its decision.

The 33 page letter sets out a comprehensive legal challenge drawing on statute, legal precedent and promises and statements made by senior politicians to support the case made against the Government.

Cllr Ray Puddifoot Leader of Hillingdon Council said: "I was in the High Court in March 2010 at the last JR on Heathrow expansion when the judge referred to the third runway plans as 'untenable in law and common sense'.

"Six years on it is unbelievable that the current Government are promoting an expansion that is still untenable in law and common sense and it is simply not acceptable in this country. This is the first round of this legal challenge and whilst we should win by a knockout in the first round we are prepared for a long fight if necessary."

Lord True Leader of Richmond Council said: "Heathrow expansion is one of the worst government decisions in modern times - dishonest, in that it reverses a clear commitment; incompetent, in that it took six years to get to Base A (from which it will never proceed); indefensible economically, in that it is the most costly and polluting option and the most likely to involve charges on public funds; illogical, in that it is the slowest to deliver and a staggering affront to every principle of competition and careless of the public good, in that it is the most polluting and the



most disruptive of the public. This legal challenge is only one route to block the Heathrow juggernaut. There will be others.”

Leader of Wandsworth Council Ravi Govindia said: “Heathrow expansion is incompatible with environmental legislation and the process leading up to this decision has been deeply flawed. Ministers have not listened to our warning so we have no choice but to take legal action. The simple truth is that Heathrow is in the wrong place for a major airport and its location amplifies its damaging impacts to unlawful levels. Expansion will make this situation much worse. An objective assessment from the High Court is bound to conclude that you can’t mitigate against such a bad location.”

Leader of Windsor and Maidenhead Council Simon Dudley said: “The Royal Borough of Windsor and Maidenhead will hold Government to account for its decisions and protect our residents from such decisions should they prove to be unlawful”.

Greenpeace UK executive director John Sauven said: “It’s clear that the government has greenlighted the third runway despite having no solution to the huge air and noise pollution problems it will cause. This is reckless and unlawful. Expanding Heathrow will heap more misery on hundreds of thousands of Londoners already breathing illegal air pollution, expose more people to aircraft noise, and drive carbon emissions through the roof. It will make it practically impossible for the government to comply with air pollution laws and court rulings. Either the laws of physics will be suspended, or the laws of the land will be broken. If ministers are hell bent on disregarding the laws that protect our health, a courtroom is where we’re going to hold them to account.”