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Britain

"The bell is tolling" on Heathrow expansion

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In the biggest victory ever won by environmental campaigners in Britain the court of appeal yesterday declared that the long disputed third runway at Heathrow is illegal. The government had failed to adequately consider its own commitments to tackle the climate crisis and the pledges it made to the Paris climate agreement - which is to achieve net zero carbon emissions by 2050,

The aim is to make Heathrow into a major European hub and a gateway to the world for a free-trade led Britain. Heathrow is already the busiest airport in Europe and the second biggest in the world. Its current passenger throughput is 80 million a year. A third runway (and a sixth terminal) would increase it to 130 million - an increase of 50 million people or an additional 260,000 flights per year.

The target of the reference to the court of appeal was a decision of Parliament, in 2018, to go ahead with the new runway with the backing by a big majority of MPs. Upholding the appeal, the judge - Lord Justice Lindblom - said that the Paris agreement should have been considered and a national planning statement should have been produced as the law requires. He is absolutely right that a new runway at Heathrow is incompatible with Britain's compliance with the Paris agreement.

Tim Crosland, speaking after the verdict for the legal charity Plan B - which mounted the challenge with the support of others (including Friends of the Earth, Greenpeace, and Sadiq Khan the Labour Mayor of London) said: 'It's now clear that our governments can't keep claiming commitment to the Paris agreement, while simultaneously taking actions that blatantly contradict it' said 'The bell is tolling on the carbon economy loud and clear.' [\[1\]](#)

A third runway would further pollute what is already one of the most polluted parts of London, where air quality is already at illegal levels. Around 4,000 homes would be demolished, and hundreds of thousands of people exposed to additional aircraft noise. This will suck economic activity even more into London and the South East and the rest of Britain. It would further congest roads in West London that are already bursting at the seams.

Aviation, moreover, is the fastest growing and most dangerous form of greenhouse gas emissions we face. The impact of CO2 emissions at high altitude is around double of such emissions at surface level a factor which is conveniently ignored by the international aviation industry and by the Tory government.

Heathrow management (a private company) have announced that they will challenge the appeal court ruling in the Supreme Court - though the government (significantly) have not taken such a decision. Their chances of success, however, do not look good from either a legal point of view or a political one. Since 2018, the political conditions around airport expansion have changed dramatically. The issue of global warming has been ratcheted up the agenda and public consciousness raised with the emergence of XR, Greta Thunberg and the school strikes.

If this decision stands it will have global significance. It is the first major legal ruling to be based on the Paris agreement and may well inspire challenges to other high-carbon projects. Margaretha Wewerinke-Singh - an international lawyer at Leiden University - said. 'For the first time, a court has confirmed that the Paris agreement temperature goal has binding effect. This goal was based on overwhelming evidence about the catastrophic risk of exceeding 1.5C of warming. Yet some have argued that the goal is aspirational only, leaving governments free to ignore it in practice.'

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It will also have far reaching significance beyond aviation. Already the Johnson government's extensive road building pledges in their election manifesto are being challenged on the same grounds - that they do not take carbon reduction pledges and requirements into account. Every major infrastructure project is now likely to meet the same objections

Johnson himself has some difficult decisions to make. When he was the populist mayor of London he was opposed to Heathrow expansion and vowed to lay down in front of the bulldozers if it went ahead. Now he is the leader of a right-wing Tory government pledged to make a complete break with the EU and launch Britain as a global power based on free trade agreements around the world - which is hugely popular inside today's fully Brexitised Tory Party. Nor will it go down well at COP26 in Glasgow if he arrives there waving the flag for a third runway at Heathrow.
A long struggle

This is not the first attempt to build a third runway at Heathrow. The last Labour government, under Gordon Brown, made the same proposal in 2007. The unions were divided. Brown was supported by the TUC and the main Heathrow unions: Amicus, the TGWU/Unite, the GMB and the pilot's union, BALPA. TUC general secretary Brendan Barber argued that the impact a third runway would have on CO2 emissions, could be offset by carbon trading. He was opposed by Unison, Connect, the PCS, and the rail unions - the RMT, ASLEF and TSSA.

In August 2007, what was called a Camp for Climate Action took place about a mile from Heathrow itself. On its final day, 1500 people protested at Heathrow and 200 people blockaded the British Airports Authority (BAA) HQ. The protest was supported by a range of organisations including the Campaign against Climate Change, the Green Party, Greenpeace, Friends of the Earth, the RSPB, the Woodland Trust, the National Trust, Friends of the Earth, and many more.

John McDonnell, the local MP, and now Shadow Chancellor of the Exchequer, strongly supported the campaign. He spoke at its demonstrations and participated in many other actions against the expansion.

In February 2008, five members of the direct action group Plane Stupid, staged a two-hour protest on the roof of the Houses of Parliament in protest at the close links between BAA and the government. Banners were unfurled which read 'BAA HQ' and 'No third runway at Heathrow'. In March 2009, a Plane Stupid protester threw green custard over then Business Secretary Peter Mandelson, at a low carbon summit hosted by Gordon Brown.

The campaign won a spectacular victory. In March 2010 a High Court judge ruled that Heathrow expansion was 'untenable in law and common sense' and (ironically) that it was inconsistent with Labour's own Climate Change Act. The incoming Tory/Liberal Democrat coalition in 2010 was forced to cancel Heathrow expansion as a result. They were criticised for this by the TUC General Secretary Frances O'Grady said who argued that: 'The case for Heathrow expansion was proven long ago. It will create thousands of high-quality jobs and apprenticeships. And it has the backing of both trade unions and businesses. Work must start as soon as possible, with the government doing all it can to keep progress in the fast lane'. This was a disappointing, given that the TUC's overall position on climate change had strengthened since 2007. Little has changed today in terms of the TUC.

Today, however, the movement against climate change is much broader and stronger. The tens of thousands that turned up to march with Greta Thunberg in Bristol were undoubtedly inspired by the decision. Thunberg said: 'Imagine when we all start taking the Paris agreement into account.' (Guardian Feb 28th)

And Tim Crossland is right to say that the bell is tolling at last for Heathrow expansion - and this decision will give an important boost to the mobilization for COP26 in Glasgow in November.

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[1] *The Guardian* 28 February [Heathrow third runway ruled illegal over climate change](#).