



18<sup>th</sup> June, 2020

Dear Councillor Campbell, dear Elizabeth

You will no doubt be aware that we have had no choice but to proceed with a Judicial Review of your decision not to re-instate the cycle lanes that you unlawfully removed just weeks into a trial scheduled to last up to 18 months.

Our claim papers were issued in the High Court and served this week.

We take no pleasure whatsoever in being forced into this course of action. Your continued inaction on this matter however leaves no option. The chronology of events is now well known – a safe cycle lane finally installed in the autumn of 2020 after at least a decade of consideration, removed at the beginning December after just seven weeks. You refused to listen to our pleas to pause and reflect, but rather ripped it out using a “special urgency” procedure rushed through just hours before a full Council meeting.

Because your decision was manifestly unlawful, you responded early in January to [our pre-action protocol letter](#) saying that you would revisit this decision in March. We [wrote to you on 16<sup>th</sup> March](#) pointing out the obvious shortcomings of the report you had put together, and your clear intent to kick the issue into the longest grass you could find. As predicted this is what you tried to do at your meeting of 17<sup>th</sup> March, coming up with a ruse to look at transport patterns of some sort or other after COVID, and after international tourism had returned – which in turn might inform some sort of other study. Understandably this cover story has become the RBKC equivalent of the Barnard Castle eye test.

You didn't take the trouble to reply to our letter of 16<sup>th</sup> March, and didn't get in touch with us at any point in the weeks and now months that followed. We [wrote to you on 19<sup>th</sup> May](#), setting out our willingness to work with you to re-instate the scheme. You didn't reply to our letter, but your lawyers did spend plenty of time replying to our lawyers.

All of this to say – you have created a legal problem through your action, and are the ones picking a legal battle. Throughout this time, you haven't done the profoundly obvious things that a Council minded to look at this constructively would do, namely engage with any or all of Transport for London, the Department for Transport, neighbouring boroughs of Hammersmith and Fulham and City of Westminster who each control parts of this same road, or indeed ourselves.

You will know that your position of attempting to continue to do nothing, with cover stories of varying quality, is untenable. This route is used by thousands of people by bike each day on a road you know to be dangerous and for which you acknowledge there is no practicable alternative. It is a stark gap in a continuous route that would otherwise span almost the entirety of London. The City of Westminster have designs ready for the short section that would continue the route through to Hyde Park, and Hammersmith and Fulham are planning for upgrades of the cycle lanes that are already in place on their section.

Support for safe cycling is growing, not falling. You will have seen recent election results which showed that those trying to politicise opposition to active travel have become less popular. You will be well aware of the [vast range of support for safe cycle lanes on High Street Kensington](#) from the NHS, local schools, universities, businesses, trade unions, youth groups and many more. You will be aware also of the [continued evolution of the Department for Transport's policy](#) in this area, which you are already at odds with.

Other protected cycle lanes you have promised – Queen's Gate and Chelsea Bridge Road – you have chosen not to build, and of course you will know you have opposed those on Holland Park Avenue and Notting Hill Gate as well as Chelsea Embankment. There remain none on the borough's over two hundred kilometres of road. No-one seriously believes this is a result of some sort of exceptionalism of borough topography, and all can see this is just a bad policy choice which for reasons which are increasingly incomprehensible you are attempting to cling on to.

To quote from our unanswered message of 19<sup>th</sup> May:

*"Although we are deeply disappointed not only at the Council's actions but also regrettably conduct in the artifice played in this process, we remain as ever prepared to work with you to reinstate this much needed safety scheme, as well as to develop a meaningful strategy for active travel across the borough, which does not currently exist."*

Yours

Better Streets for Kensington and Chelsea

[www.betterstreets4kc.org.uk](http://www.betterstreets4kc.org.uk)

Cc

Sadiq Khan, Mayor of London  
Transport for London  
Rt Hon Grant Shapps, Secretary of State for Transport  
Department for Transport