

00

CONFIDENTIAL

NO



DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

The Rt Hon Kenneth Baker MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON SW1P 3EB

24 October 1985

*C.F. B/F with DoE reply
and in any case on 31/10.
JRS
24/10.*

Dear Kenneth

CHANNEL FIXED LINK: CONSULTATION

When we discussed the Channel Fixed Link in February this year we agreed that the delay and uncertainty caused by a public local inquiry would effectively put an end to the possibility of a successful project. In subsequent correspondence we agreed that we should not yet spell this out, but rather we should await the outcome of the promoters' own informal consultations and see whether we could then afford to rely on the hybrid Bill process.

As the 31 October deadline for submission of proposals approaches, it is becoming clear that the efforts made by various promoters to consult the public have varied widely. We shall be assessing this as part of the overall examination of their proposals, but it will obviously be difficult to rule out an otherwise desirable scheme simply on the grounds that there has been insufficient consultation. There is bound to be a debate therefore, about the extent to which the hybrid Bill procedure gives objectors an opportunity to be heard.

My own view is that the Bill procedure provides adequate scope for debate and comment, but we are likely to give objectors an argument (the greater if people have not previously been involved in the promoters' own consultation) on the grounds that the principle will already have been decided by the Bill's Second Reading; that the cost of employing Counsel to make adequate representations is prohibitive and beyond the means of ordinary people; and, that the time available for consultation is too short. In other words, unless we can win the poker game about the adequacy of the earlier consultation stages, opposition to the Bill may gain credibility, particularly if influential bodies join in raising objections.

CONFIDENTIAL

Not unexpectedly, the French have expressed grave doubts about the possibility of delays in our legislation of the kind that occurred in 1974. Any delays that do occur will inevitably leave us open to accusations of bad faith and cause acute embarrassment.

Once promoters' schemes have been submitted on 31 October, I believe that we should demonstrate publicly that we are ready to listen to representations. As a first step, we should specifically invite comments on the summary document which promoters have been asked to make public at the time of their submissions. I am, at the moment, considering whether there would be advantage in paying for press advertisements for this purpose.

Secondly, I think we should be willing, if asked, to let officials of our two Departments attend meetings with local authorities, promoters, local people, and, perhaps, action groups like Flexilink to listen to the views which are expressed. Objectors will find it odd if no representative of the Government is present. Thirdly, I do not think we should cease our efforts at consultation once the Assessment Group has completed its report in early December. We will need to continue to listen to views on how the preferred scheme, if any, can be made more acceptable and to settle what safeguards need to be included in the Concession Agreement and the Treaty. Finally, I think we must seek to allay public fears by being ready to listen to detailed representations once any scheme is approved and right up to the point (probably Easter) when the Bill is finally approved for introduction to Parliament.

This has implications for the way we handle calls for a Public Inquiry. So far, little complaint has been made about our intentions, but if we continue to avoid making our position explicit we will pave the way for greater public opposition later on. Before 31 October the time is not ripe to announce that there will be no public inquiry. Until then, we can simply say that if the promoters' informal consultations are adequate an inquiry will not be necessary, but if they were patently inadequate, the Government would have to reconsider its position. But once a decision has been taken we shall have to state our position unambiguously, and should defend this by saying that the decision is bi-national, and that it has wide-ranging implications for both countries involved. The decision in principle is, therefore, one which the national legislatures should properly take.

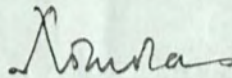
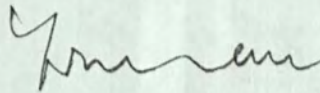
I hope, therefore, that colleagues will agree we should be more open about our intention not to have a public inquiry if consultation is adequate; that we should be seeking comments from interested members of the public and taking an active

but to consult widely

CONFIDENTIAL

role in informal meetings once proposals are received: and that we should be taking a more prominent role in consultation once a decision in principle has been taken.

/ I am copying this letter to the Prime Minister and other members of E(A), the Foreign Secretary, the Lord Chancellor, the Chief Whip and to Sir Robert Armstrong.



NICHOLAS RIDLEY

CONFIDENTIAL

CONFIDENTIAL



fe ve
bc Confidential

10 DOWNING STREET

From the Private Secretary

8 November 1985

Dear Richard,

CHANNEL FIXED LINK: CONSULTATION

The Prime Minister has seen your Secretary of State's letter to the Secretary of State for the Environment, of 24 October.

The line proposed there is that the Government should be more open about their intention not to have a public inquiry into the Channel fixed link "if consultation is adequate". The Prime Minister fears that if this is said it will be an invitation to opponents of the scheme to say that consultation has not been adequate and that therefore a public inquiry is needed. She believes the line should be that the Government intends not to have a public inquiry "but to consult widely".

I am copying this letter to the Private Secretaries to members of E(A), the Foreign Secretary, the Lord Chancellor, the Chief Whip and to Sir Robert Armstrong.

*Yours ever,
David.*

(DAVID NORGRIVE)

Richard Allan, Esq.,
Department of Transport.

CONFIDENTIAL

CCMS



2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

21 November 1985

DN road
CDP
21/11/85
NBSM

Dr Mick,

CHANNEL FIXED LINK: CONSULTATION AND ENVIRONMENTAL ASPECTS

I have not replied previously to your letter of 24 October partly because it was somewhat overtaken by your announcement that there was to be no public inquiry at the press conference you held last month, but mainly because William Waldegrave and I have been giving careful consideration on how we can best handle the questions that are bound to arise over the environmental implications of the various Channel Fixed Link schemes.

In general I agree very much with the line that you propose. As Patrick Jenkin said in his letter of 3 April, which I fully endorse, we have to accept that the sort of timetable associated with a public inquiry is not compatible with the requirements of this project and its potential commercial backers. But this means that we must be seen to be as open as possible in giving the public the opportunity to have their say. The sort of procedures that you propose seem to me to be consistent with that objective, so far as the very tight timetable permits.

There is great public sensitivity over the environmental implications and I am sure you will agree that we must be seen to be scrupulous both in the conduct of our assessments of the environmental aspects, and in making their outcome public.

As you know, I welcomed your appointment of Land Use Consultants to evaluate the adequacy of the Environmental Impact Statements made by the proposers of the different schemes, and I am pleased to learn that they are likely to report to us by the end of the year. I expect to receive, within the week, comments on the schemes from the Nature Conservancy Council and the Countryside Commission who have a statutory duty to advise us both on the implications of the development for wildlife and landscape quality. I shall be passing their comments to Land Use Consultants within a few days. I have also noted that you are now conducting a national publicity campaign, alerting members of the public to the availability of the proposers' Impact Statements so that they can send us their views prior to our choice of a preferred option.

What is essential when all these environmental options and comments have been received, is that my Department should have time to make a clear input to colleagues, as part of the final decision-taking process, about what the balance of environmental considerations between projects is. I shall need to make it clear, as attention focusses on the Channel Fixed Link in the next weeks, that this is so. It will not be enough just to rest on the consultants' report, however interesting that may be.

I would like to suggest some further action which I think we should take. The Nature Conservancy Council and the Countryside Commission could be asked to alert the voluntary conservation movement to the availability of the promoters' reports and to indicate the major conservation issues to which they give rise. We should also ensure that the LUC Report is published, together with the NCC and CC statements if possible at the same time as the Government's decision is announced. It might be accompanied by a commentary by my Department. This would enable us to show that we have considered this sensitive question thoroughly.

Obviously, the environmental implications are only one of the critical factors we need to take into account when coming to a decision. However, their sensitivity is so great, and the need to carry public opinion and Parliament with us so pressing that we must do everything within our power to satisfy people that the environmental assessment has been properly done and thoroughly evaluated.

There are 2 other points that I should make about your consultation proposals. First, I agree with the principle of public meetings attended by officials from both our Departments subject of course as far as my Department is concerned to the availability of suitable staff. Second, you will no doubt wish to consider how to respond to demands for a Debate in Parliament before the final selection is made. I should be inclined to support this in principle.

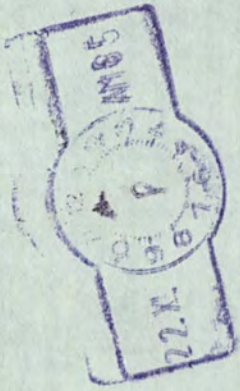
I will be grateful for your views on my proposals for handling the environmental aspects.

I am sending copies of this letter to the Prime Minister and other members of E(A), the Foreign Secretary, the Lord Chancellor, the Chief Whip and to Sir Robert Armstrong.

*Y
Kenneth*

KENNETH BAKER

TRANSPORT; Chand Tunnel; Pt 3



CONFIDENTIAL

CCPC
✓ BG



DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

The Rt Hon Kenneth Baker MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON SW1P 3EB

27 November 1985

CJP
28/11

Dear Kenneth

CHANNEL FIXED LINK: CONSULTATION AND ENVIRONMENTAL ASPECTS

I am grateful for your letter of 21 ~~October~~^{NOVEMBER} agreeing to my proposals for consultation on the Channel Fixed Link. I am also generally content with the other suggestions you make for handling the environmental aspects.

You said that it was essential to allow your Department sufficient time to make a clear input on environmental and local matters. Your officials are in the lead on the environmental assessment and I see no great difficulty in what you suggest, but it is, of course, essential that we stick to the timetable we have agreed with the French. Subject to that, I will do all that I can to see that you have maximum opportunity to put forward the DOE view.

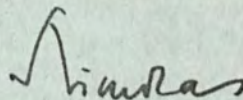
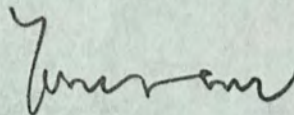
Equally, I have no difficulty in principle in agreeing that the report by Land Use Consultants, together with the statements by NCC and the Countryside Commission, should be published. Before committing ourselves to this course, however, I think we need to see the documents and make sure that they do not injure our case. I would also want to be satisfied that publication would not lead to pressure to publish the assessors' report as a whole. In this connection, I think your suggestion that the documents should be published under cover of a commentary by your own Department is helpful. It would help to underline the exceptional nature of the arrangements. I should also emphasise that we have no intention of relying solely on the LUC report.

I note your support for a Debate in Parliament before the final selection is made. I had already reached that conclusion myself, and I have now written to John Biffen

CONFIDENTIAL

asking him to make time available during the first two weeks of December. I think it is important that we hold the Debate before Ministers here have received the report of the assessment group.

I am copying this letter to the Prime Minister, other members of E(A), the Foreign Secretary, the Lord Chancellor, the Minister of Agriculture, Fisheries and Food, the Chief Whip and to Sir Robert Armstrong.



NICHOLAS RIDLEY

TRANSPORT
CHANNEL TUNNEL
PT3





CONFIDENTIAL

HOUSE OF LORDS,
LONDON SW1A 0PW

// November 1985

CCDG

*JF is see
CDP 11/xi*

Dear Nicholas:

CHANNEL FIXED LINK: CONSULTATION

I have read your letter of 24th October and the replies from Geoffrey Howe, Leon Brittan and Norman Tebbit.

I also support your proposal to make full use of the hybridity which we are all sure the House Authorities will attach to any Bill we produce. However, I think that we will need to ensure, if we can, that petitioners are not given a bite at the cherry in each House in turn as they would normally have in the case of a private Bill.

If this is right you might ask the Business Managers to consider whether reference to a Joint Committee of both Houses would be a step in the right direction.

I am copying this letter to the Prime Minister and other members of E(A), Geoffrey Howe, John Wakeham, Bertie Denham and John Biffen and to Sir Robert Armstrong.

yrs:

From: THE RT HON. LORD HAILSHAM
OF ST MARYLEBONE, CH, FRs, DCL

The Right Honourable
Nicholas Ridley, M.P.

TRANSPORT
CHANNEL TUNNEL
PT 3



CONFIDENTIAL



DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET 5422

TELEPHONE DIRECT LINE 01-215
SWITCHBOARD 01-215 7877

Secretary of State for Trade and Industry

6 November 1985

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport
Department of Transport
2 Marsham Street
LONDON
SW1P 3EB

DN seen.

R. Nick,

CHANNEL FIXED LINK : CONSULTATION

Thank you for copying to me your letter of 24 October to Kenneth Baker.

2 I fully agree with your belief that we should demonstrate publicly that we are ready to listen to representations from interested parties while at the same time maintaining our intention not to have a public inquiry with all the possibility of delay and uncertainty that that would entail. The proposals which you put forward in your letter for achieving this are therefore entirely acceptable to me.

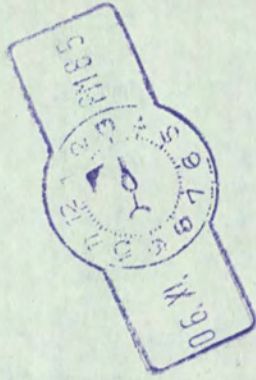
3 I am copying this letter to the Prime Minister and other members of E(A), the Foreign Secretary the Lord Chancellor, the Chief Whip and Sir Robert Armstrong.

Lev,
Lev

LEON BRITTAN

JF2AKY

Transport; Channel Tunnel Pt 3



CONFIDENTIAL



Chancellor of the Duchy of Lancaster

cc BG
CABINET OFFICE,
WHITEHALL, LONDON SW1A 2AS

Tel No: 233 3299
7471

25 October 1985

The Rt Hon Nicholas Ridley MP
Secretary of State for Transport
2 Marsham Street
LONDON
SW1P 3EB

N. Nicholas

CHANNEL FIXED LINK: CONSULTATION

Thank you for copying to me your letter of 24 October to Kenneth Baker.

I share your evident concern that we should not become vulnerable to criticism on grounds of inadequate public consultation. Clearly, the extent of, and response to, public consultation initiated by the promoters is a factor which must weigh in our assessment of the proposals.

But our principal concern should be to avoid damaging delays to the scheme. I am content, therefore, with the ideas set out in your letter as to ways in which fears over public consultation can be allayed, while the parliamentary procedure is carried through.

I am copying this letter to the Prime Minister, Geoffrey Howe, Quintin Hailsham, members of E(A), John Wakeham, and to Sir Robert Armstrong.

NORMAN TEBBIT

TRANSPORT
CHANNEL ROUTE
P.T 3

