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Confidential Filing

North Sea Conference

ENVIRONMENTAL AFFAIRS

OCTOBER 1984

Attachment folder contains:-
① Guidance notes on Ministerial Declaration Cos 8
② Ministerial Guidance Nov 87

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
~~1.11.84~~		~~27.2.90~~					
~~8.11.84~~		~~28.2.90~~					
~~12.11.84~~		~~5.3.90~~					
~~11.6.85~~		~~26.3.90~~					
~~17.6.85~~		~~19.4.90~~					
~~20.6.85~~		4.7.90					
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~~22.6.87~~							
~~2.1.88~~							
~~21.4.88~~							
~~16.5.89~~							
~~30.2.90~~							

PREM 19/2964

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
CC(84) 36th Meeting, item 3	08/11/1984

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate **CAB** (CABINET OFFICE) CLASSES

Signed C Wayland Date 30/8/16

PREM Records Team

CC PM

Prime Minister
To note that the UK is taking the lead and hence can influence the scope of the report and ensure that the full environmental consequences of the options are brought out. 4/7

2 MARSHAM STREET
LONDON SW1P 3EB
071-276 3000

My ref:

Your ref:

Andrew Turnbull
Private Secretary to
The Prime Minister
10 Downing Street
London
SW1A OAA

MI

4 July 1990

Dear Andrew

OUTCOME OF THIRD NORTH SEA CONFERENCE

I refer to my letter of 19 April about our approach to the Paris Commission seeking a study of the various methods of disposal of sewage sludge.

The Commission has accepted this proposal and has asked the UK to take the lead in coordinating the study. We intend to start work later this summer with the aim of completing out initial report by mid 1991 for joint consideration by the Paris and Oslo commissions.

I am copying this letter to the Private Secretaries to members of MISC141, Simon Webb (Ministry of Defence) and to Sir Robin Butler.

Yours
Kate

KATE BUSH
Private Secretary

Env Affairs: North Sea
Cont Oct 84

NBPM
KT 20/4

cc PU

2 MARSHAM STREET
LONDON SW1P 3EB
01 276 3000

My ref:

Your ref:

Andrew Turnbull Esq
Private Secretary to
The Prime Minister
10 Downing Street
LONDON
SW1A 2AA

19 April 1990

Dear Andrew

OUTCOME OF THIRD NORTH SEA CONFERENCE

Thank you for your letter of 26 March. It is our intention that there should be a full study of the environmental effects of different methods of disposing of sewage sludge including sea disposal. We are pursuing this at official level with the Paris Commission.

I am copying this letter to the Private Secretaries, to members of MISC 141, Simon Webb (Ministry of Defence) and to Sir Robin Butler.

Yours

CEJ Bush

KATE BUSH
Private Secretary

ENV AFF: Nantucket Sea Conference, Oct 84

Rlp
SLH

bc PU

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

26 March 1990

Dear Roger.

OUTCOME OF THIRD NORTH SEA CONFERENCE

Thank you for your letter of 22 March. The Prime Minister was looking for two elements in the proposed scientific study. The first was an assessment of the environmental as opposed to economic implications of different methods of disposing of sewage sludge. As your letter makes clear this will be covered by the proposed study. The second was a comparison between the environmental effects of disposal on land and disposal at sea. This was sought, not in order to contest the decision to end dumping at sea but in order to establish clearly the penalty, in terms of CO_2, that has been incurred by this decision. I hope, therefore, dumping at sea can be included in the study as the base line for comparing the alternative methods.

I am copying this letter to the Private Secretaries to members of MISC 141, Simon Webb (Ministry of Defence) and to Sir Robin Butler.

Yours sincerely

Andrew Turnbull

ANDREW TURNBULL

Roger Bright, Esq.,
Department of the Environment

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref:

Your ref:

Andrew Turnbull Esq
Private Secretary to
The Prime Minister
10 Downing Street
LONDON
SW1A 2AA

22 March 1990

Dear Andrew

OUTCOME OF THIRD NORTH SEA CONFERENCE

Thank you for your letter of 12 March concerning the arrangements for an international study on disposal of sewage sludge.

As my Secretary of State has already reported to the Prime Minister, the idea of a study was discussed at the Third North Sea Conference and was well received by other countries. The precise wording in the Ministerial Declaration on this is:

> "To invite the Paris Commission to undertake before 1992 a review of alternative methods of handling and disposal of sewage sludge aiming at developing clean and low waste technology."

The Paris Commission is concerned with the protection of the environment. The study will therefore be a scientific comparison of the differing impact on the environment of disposal options. But the UK has always insisted that in undertaking such studies the Paris Commission should always have regard to relative costs. The study will, therefore, be a scientific investigation, but with an assessment of costs alongside.

The detailed arrangements for the study, including its precise scope, remain to be sorted out at official level. In taking this forward, our officials will, of course, be mindful of the Prime Minister's views recorded in your letter of 3 March.

I am copying this letter to the Private Secretaries to members of MISC 141, Simon Webb (Ministry of Defence) and to Sir Robin Butler.

Yours sincerely

Roger Bright

R BRIGHT
Private Secretary

ENV AFFAIRS

North Sea Conference 10/84

FILE SPW

cc PU

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

12 March 1990

Dear Roger,

OUTCOME OF THIRD NORTH SEA CONFERENCE

The Prime Minister has seen your Secretary of State's report on this conference. She agrees that, in difficult circumstances, a satisfactory outcome for the United Kingdom has been achieved. She hopes that every effort will now be made to turn the spotlight on the short-givings in the environmental records of other countries.

She has noted that an international study on alternative options for the handling of disposal of sewage sludge has been agreed. She was unclear, however, whether this was a technical study, for example into the costs of different disposal methods, or whether it was a scientific comparison of the differing impact on the environment. She would welcome a further note on this.

BF

I am copying this letter to the Private Secretaries to members of MISC 141, Simon Webb (Ministry of Defence) and to Sir Robin Butler.

Yours sincerely

Andrew Turnbull

(ANDREW TURNBULL)

Roger Bright, Esq.,
Department of the Environment.

KK

Prime Minister
Agree I minute back congratulations
CP on this outcome?
We need to know more about the
study referred to on page 2. Is it a
study of the technical options? or, as
you wanted, a study of the environmental
impact? AT 9/3

PRIME MINISTER

OUTCOME OF THIRD NORTH SEA CONFERENCE

I represented the Government at the Third North Sea Conference in The Hague on 7-8 March. This was not an easy conference for the UK, but it was successful in adopting valuable new initiatives on the most important sources of marine pollution. On all major UK concerns we were successful in holding the line I had agreed with colleagues in earlier correspondence.

These substantive achievements were marred by a Chairman (Mrs Maij Weggen of the Dutch Transport and Water Ministry) invariably hostile to the UK and certain delegations more concerned with statements for the benefit of the Press corps at the Conference and green organisations at home than with negotiations in good faith. Nevertheless when the dust has settled I believe that the initiatives we brought forward for the Conference will be seen to have marked a new era in our approach to combatting marine pollution. Our stance without new policy positions would have been untenable; and there was much private appreciation, especially from officials and from thinking journalists, of the moves we have made.

Turning to the main points under discussion, the text on nutrient inputs to the sea mirrors the position we are taking in relation to the draft EC Directive on waste Water treatment - secondary treatment of sewage discharges with primary treatment in less sensitive areas, on the basis of studies reported to the European Commission. We therefore successfully resisted Federal Republic pressure for "equality of misery" on high standards of treatment (secondary and even tertiary), and we established the principle that different standards of treatment are appropriate in different parts of the North Sea.

A potentially damaging split of shipping initiatives was resolved to our satisfaction by deferring consideration of Special Area status for the North Sea to 1993, while seeking reasonable higher standards on a global basis. I successfully held the line agreed with colleagues in relation to dumping of industrial waste and sewage sludge against predictable pressure to bring forward the dates. On sewage sludge an international study on alternative options for handling and disposal was agreed.

The UK was able to score useful points against the Federal Republic by insisting on destruction of withdrawn PCB waste (with storage as an interim option to 1999 only) and to obtain agreement that so far as possible North Sea states should have their own destruction facilities. We also pressed an amendment requiring the reporting and regulation of dredged spoil dumping in estuarial and inshore waters, where currently the Federal Republic dumps 22 million tons a year with a high but unspecified contaminant load. We also secured agreement on our wildlife initiative, notwithstanding a late attempt by Norway to weaken the package.

On dangerous substance inputs by water and air the conference agreed important new proposals to reduce several of the most hazardous by 70% or more by 1995, and to reduce air inputs generally by 50% or more for 17 substances, provided in both cases that best available technology enables this to be done. We were however unable to avoid a reference to the Paris Commission to assess the feasibility of a higher standard for production water from oil platforms. But other unacceptable initiatives were successfully resisted and in the end withdrawn; many were clearly designed for home consumption.

I was pressed particularly hard on the issue of radioactive waste disposal under the sea from ships or sea-based structures, but, in accordance with my brief, I declined to give a long term undertaking in principle not to dispose of such waste in the sea bed, arguing that long term options must be kept open. However this topic raised

considerable dissension, and it will no doubt recur in future. The furore over this was unfortunate because it meant that an otherwise fairly successful day for us ended on a note of acrimony, which overshadowed the resulting press coverage. This was exacerbated by other Ministers seizing the opportunity to criticise us even when (as with the Swedes) they have their own land-accessed storage facility under the Baltic.

The European Commission indicated that it is likely to bring forward draft Directives to implement a number of these agreements. Generally this is what we expected and should not cause us difficulty in principle.

A Ministerial level working group on the North Sea is proposed for 1993 to cover various topics on an interim basis on the way to the fourth North Sea Conference in Copenhagen in 1995.

Overall I believe that, once the initial hostility has subsided, we will be seen to have made some major moves in the direction of our more pragmatic European partners. We will have a good basis for joint development of marine policy, having got rid of a number of symbolic topics whose political significance overshadowed their contribution to North Sea pollution. We should now be able to concentrate on the real causes of that pollution - in particular the input of substances from the rivers of mainland Europe. For our part, we must now move quickly to act on the agreements we have adopted, partly to force others to face up to their genuine problems, and partly to avoid any charges of foot-dragging.

I am copying this minute to members of MISC 141, Tom King and to Sir Robin Butler.

CP

9 March 1990

(approved by the Secretary of State and signed in his absence)

cc/o

Prime Minister

cc/s

S/S

FROM THE SECRETARY OF STATE

2 MARSHAM STREET LONDON SW1P 3EB
TELEPHONE 01-276 3000

The Rt Hon Chris Patten MP
Department of the Environment
2 Marsham Street
London
SW1P 3EB

C/PSO/2176/90

My Ref

Your Ref

-5 MAR 1990

Dear Chris,

Thank you for copying me your letters to John Gummer of the 13th and 20th about the North Sea Conference. I fully recognise the importance of a successful Conference to the presentation of our marine protection policies and the negotiating line you propose on pollution from ships will clearly help in this respect.

General Considerations

You ask if there are any additional points which might be included in our negotiating position. I have a number of comments but want first to welcome your acknowledgement that shipping has an essential international dimension and any measures directed at ships should in the main be taken forward within the framework provided by IMO. The marine environment too should be considered in a global context and proposals for cleaner seas should be looked at in the first instance for world-wide application, and only if there are special reasons should they be developed in a North Sea context.

I recognise the emotions that environmental issues can generate - I hope that the good performance of the Marine Pollution Control Unit in my Department and the enhancement of its aerial surveillance capability can help to establish our good credentials. There are however two proposals before the Conference - designating the North Sea a Special Area for oil, and for chemicals transported in bulk - which are being pursued with more dogma than reason and I am in full agreement with the firm stand you intend to take in resisting these proposals. And on some other matters such as sewage from ships there is a danger of harm to UK interests without any real environmental benefit.

Special Area Status: MARPOL Annex I (Oils)

With respect to oil, the amount of operationally permitted discharges into the North Sea by ships is relatively small and little will be gained by further limitation but we are content for the possibilities to be examined in IMO. But the German proposal to give the North Sea Special Area Status for oils is not

acceptable. It may paradoxically have the effect of encouraging the deliberate discharge of oil into the sea. This is because the proposal would effectively create a special status area stretching all the way from the Baltic to the Eastern reaches of the Mediterranean in which ships will not be required to be equipped with the specialised equipment necessary to treat oily residues. They may instead retain their oily waste on board for discharge to reception facilities, it being assumed that voyages would be short and ships would be in port frequently. Enforcement is difficult, but a ship trading in relatively confined sea areas would have every opportunity to comply. But in this larger new Area unless ships are fitted with large holding tanks, ships' masters would find it necessary to divert into port just to discharge residues. This I fear would simply not happen and there would be deliberate infringements of the regulations. There is another aspect of this proposal which would, peculiarly, affect the UK. Ships trading across the boundaries of a Special Area tend to discharge their residues as they leave or enter the area and pollution in the approaches to the English Channel and in the waters near the Shetland Islands might well increase.

If, nevertheless, the proposal gains so much support that it becomes difficult to resist - and we are not to be faced with the pollution problems I have mentioned - there needs to be built into the Declaration a strong commitment to impose a much more rigorous inspection of ships' oil record books and the definition of the North Sea must be extended to take in an area sufficiently beyond the sea areas off Cornwall and the Shetland Islands.

Special Area Status: MARPOL Annex II (Noxious Liquids)

As to making the North Sea a Special Area for chemicals there is really no case for it. There are already stringent requirements to ensure that the cargo tanks of chemical tankers are thoroughly emptied before being washed and cleaned and, in the case of the most noxious liquids, independent surveyors are required to certify that this has indeed been done. Special Area Status would require a significant increase in shore reception facilities and raise the problem of dealing ashore with the large volumes of chemical tank washings. There may be scope for further improving the efficiency of the present procedures for stripping a chemical tanker of its residues before it leaves port but I do not think we could agree to Special Area Status.

Other Pollution

There would be considerable difficulties if the proposal to prohibit the discharge of ships' sewage into coastal waters were to be adopted. Annex IV of the MARPOL Convention covers sewage and if there is a problem the solution must lie in the ratification of that Annex. There is no justification for a regional solution and the present initiative is even more partial than that, addressing itself in effect only to ships registered in North Sea countries. The amount of sewage from these ships can only be small in relation to that from land based sources, and from other ships registered elsewhere, and the reduction in pollution does not justify the distortion in competitiveness of our ferries. Some of them, particularly on the Dover/Calais service, would require expensive modification.

Airborne Surveillance

At previous Conferences airborne surveillance has always been seen as an important part of the measures to enforce the regulations. All North Sea States now have or are acquiring aerial remote sensing resources. The Bonn Agreement is being extended to cover the use of surveillance as an aid to preventing violations of oil discharge regulations and there is an agreed plan of co-operation including joint flights and other measures that are important to combat pollution. I hope something can be made of my recent decision to increase the Department's contribution to the number of hours flown on regular patrolling of shipping lanes from 300 to 500 hours per year. This, together with the programme of routine patrols over UK offshore installations which we undertake on behalf of the Department of Energy, will increase the total hours flown to 800 per year. This compares with 600 hours by the Netherlands, 500 by FRG, 200 by Denmark and 150 by Belgium. Any call for "balanced coverage" of the North Sea in relation to some simplistic measure, such as length of a coastline or national area of responsibility must be resisted since the UK has both a considerably longer coastline and a larger area of responsibility than the others. We also have the whole of the west coast of the UK to patrol. Cover related to the intensity of shipping and offshore activities in the various areas of the North Sea would be much more meaningful and that is what I hope the Conference will be able to accept.

Salvage and Dangerous Cargoes

Despite the intervention of Mrs Maij-Weggen, the Netherlands' Minister responsible for North Sea issues, I endorse the line proposed in the Declaration for funding the salvage of hazardous cargoes. This is yet another case where the best response to maritime pollution is through international agreement in IMO. I understand that sufficient reward for salvage operations will be available through the 1989 Salvage Convention, the terms of which may be incorporated in a revised version of Lloyds Open Form 1980, the agreement on which much of today's commercial salvage is based. In the case of chemical spill and the preventive measures taken to deal with it IMO have decided, as a matter of priority, to establish a liability and compensation regime governing the carriage of hazardous and noxious substances. In the event that progress is slow we would be prepared to look again at the Netherlands' proposal for a regional fund perhaps at a future North Sea Conference.

Finally I would be grateful if you could, at a suitable time, refer to the recent incident on the south coast when various chemicals, including potassium cyanide, were washed up on the beach having come off a ship in the Channel in heavy weather. There have been a number of similar incidents in recent years and public concern is obviously growing. As you know, Patrick McLoughlin had to reply to a Private Notice Question on the subject on 22 February and was able to say that the North Sea Conference would provide an opportunity to see whether anything further can be done to ensure that IMO rules on the carriage of dangerous goods are fully enforced. I think this underlies the importance of the steps set out in Section D of Annex 2 to the Draft Final Declaration.

I am copying this letter to members of MISC 141 and to David Waddington, Tom King, Tony Newton, Peter Brooke and Michael Howard.

Yours ever,
Cecil

CECIL PARKINSON

Env Affairs: North Sea Conference.
Oct 84

Rio
Sim

faxed to 2 Wright
5.3.90

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

3 March 1990

Dear Roger

MISC 141: AQUATIC ENVIRONMENT

Your Secretary of State had a talk with the Prime Minister after the Local Government Conference to clarify the line Britain should take at next week's North Sea Conference in the light of the MISC 141 discussion, his subsequent minute of 26 February on the effect on greenhouse gases, and the minute from the Secretary of State for Trade and Industry of 28 February.

The Prime Minister said she had two concerns. First, Britain had always taken pride in basing its policies on sound science, but in two recent cases (three-way catalytic converters and flue/gas desulphurisation) policies had been adopted which produced an environmental gain in one area only at the expense of producing more greenhouse gases. She was worried that we might be about to repeat this. She was reluctant to accept that 500,000 tons of carbon dioxide every year could be regarded as negligible. Secondly, she was worried that those who argued for the change of policy on sludge dumping would be reluctant to accept the consequences in terms of planning consents for incinerators. With the science still so unclear and with the difficulty of securing planning consents in this country, her instinct was to ensure that the Government was not completely boxed in.

The Prime Minister commented that logically we should increase dumping in the Atlantic. This avoided dumping in a shallow sea and did not incur a penalty in terms of greenhouse gases. She noted, however, that this was prevented by an EC Directive.

Your Secretary of State said he would not be seeking any other major environmental commitments before the White Paper. He had decided to focus attention on the aquatic environment where he believed a significant improvement in the Government's stance could be achieved. He accepted that it had not been proved conclusively that dumping of sewage sludge in the North Sea was environmentally damaging but at the 1987 North Sea Conference the UK had signed up to the precautionary principle which required those wishing to continue dumping to demonstrate that there was no risk to the North Sea environment. It was not possible to achieve this. MAFF believed there could well be damage to fish stocks; there

could be a problem with long term contaminants; and there was a problem of algae, although the main culprits here were the North European rivers.

Your Secretary of State also accepted that there would be an addition to CO_2 production, but at $^1/_{12}$th of 1 per cent he considered that this was genuinely negligible. Even here, he hoped that it might be able to secure a net generation of heat from incinerators which would partially off-set the effect on CO_2.

Your Secretary of State pointed to the apparent inconsistency of spending large sums to secure primary treatment of sewage which would retain the most damaging residues on land while continuing policies which would allow those residues to be put out to sea.

Your Secretary of State noted that Britain was very often wrongly put on the defensive at international gatherings. If the issue of sludge dumping could be resolved, it would enable Britain to go on the offensive, for example against Germany's record on PCBs and on the condition of the Rhine and the Elbe.

Concluding the discussion, the Prime Minister agreed that your Secretary of State should tell the North Sea Conference that Britain would end the practice of sludge dumping with effect from 1998. It would be made clear to the Conference that we would need to obtain planning consents for the necessary incinerators. At the same time, your Secretary of State should press the Oslo Commission to undertake a scientific assessment comparing the total effects on the environment of different methods of disposing of sludge on land with what the impact would have been of continuing dumping at sea.

I am copying this letter to the Private Secretaries to members of MiSC 141 and to Sir Robin Butler.

Yours ever

Andrew Turnbull

ANDREW TURNBULL

Roger Bright Esq
Department of the Environment

PRIME MINISTER

SLUDGE DUMPING

You and Mr Patten are to meet at No.10 at around 1400 after the Local Government Conference to sort out the position the UK should take at next week's North Sea Conference.

At MISC 141:

> "The Group provisionally agreed therefore that the UK should announce that this practice would be banned with effect from 1998; but bearing in mind the effect on greenhouse gases of other recent decisions, particularly those on catalytic converters and flue gas desulphurisation, their agreement was subject to being satisfied about the effect of incineration on carbon dioxide emissions."

Mr Patten subsequently minuted conceding that there was a net addition to CO_2 emissions from incineration but that at 500,000 tonnes a year it was tiny in relation to the total (0.08%). Mr Ridley contested that this was not a negligible figure and that the evidence about the damage sea dumping was causing was inconclusive.

In the light of Mr Ridley's minute, you argued that a commitment to end sludge dumping from 1998 should be conditional upon the necessary planning consent being obtained (no disagreement about this) and an assessment that the benefit to the North Sea environment from ending dumping outweighed the disbenefit from incineration.

Mr Patten in his latest minute - Flag A - thinks it impossible for the UK to go to the Conference with such a conditional position as it would be seen as no advance on our position at the 1987 Conference. More urgently he is committed to a Press Conference on Monday and there is a Party Political broadcast on the environment on Wednesday which would fall flat if the Government is in the firing line over its position on sludge dumping.

You will need to resolve:

i. What is the evidence on the effect of sludge dumping on the North Sea? Mr Patten concedes that it is inconclusive but argues that at the 1987 Conference Mr Ridley accepted the precautionary principle which put the onus on us to prove that sludge dumping is not harmful.

ii. Is the CO_2 impact negligible or not?

iii. Can retaining the option of dumping be squared with the decision to treat raw sewerage? Why spend money to prevent the chemically troublesome residues going down the outfall pipes while continuing to dump ~~some~~ such residues at sea?

You will need to argue this through and settle:

i. The wording of Mr Patten's announcement on Monday. The current draft is at Flag B.

ii. The wording of Mr Gummer's Parliamentary Answer, the current draft is at Flag C.

AT

Andrew Turnbull

2 March 1990

c: Sludge (MJ)

CONFIDENTIAL

PRIME MINISTER

DUMPING OF SEWAGE SLUDGE

I have heard with great concern your view about how we should present our decision about sewage sludge disposal in the North Sea. I understand that you wish to make the decision to ban sludge disposal as from 1998 conditional upon:

(i) a prior assessment of whether there would be more environmental damage from any land based form of disposal as against disposal to sea;

(ii) planning permission being obtained for the necessary incinerators.

I accept of course that planning permission will have to be obtained for whatever land based disposal we decide on. That is why we have given ourselves eight years to implement the decision. But the first condition you suggest will be seen by all concerned as undermining our commitment to stop sludge disposal to sea. Indeed it will not represent any significant advance on the decision we have already taken at the 1987 Conference which has been so much criticised.

It is already clear that sewage sludge dumping is the single most controversial issue coming up at next week's Conference. All other Conference countries have already stopped dumping sludge, and Ireland has now committed itself to stopping dumping by 1998. We shall get no credit for any of our other decisions at the Conference if we hold out on this. Although all other countries accept with us that there is no positive scientific proof of any harm arising from sludge dumping they take strongly the view that there are potential hazards to fish and the marine environment and that the precautionary principle requires that the marine environment should not be put at risk. Since the North Sea is a resource in common their view on this matter is at the moment completely frustrated by our continuing to dump when they have stopped.

Our position will also appear internally inconsistent since we have already agreed to require treatment of all sewage discharges to sea. No one will be able to understand why we should be prepared to require treatment whilst retaining the option to dump the resulting sludge in the sea. The comparison of costs will also seem inexplicable. We shall be investing £1.5 billion to treat all the discharges, but possibly refusing to spend the £180 million required to find alternative methods of disposal for sludge on land.

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CONFIDENTIAL

I understand that you are inclined to the view that incineration would probably be the only satisfactory form of land disposal, and are concerned about the extra CO_2 emissions that that would lead to. I do not myself think that the science leads us to quite such a clear cut view as that yet. Spreading on land where the sludge is treated and uncontaminated is a natural and beneficial use if properly controlled. And in a similar way properly managed landfill sites cause no environmental damage. No doubt there will need to be additional incinerators - perhaps about ten in all. But these will not require fossil fuel to keep them going and will only produce a small amount of additional CO_2 - we estimate about 0.08% of that produced by fossil fuel burning. We shall want to explore also the possibility of using some of the heat produced for other purposes in substitution for other fuels which would reduce the net increase in the CO_2.

I feel very strongly that I cannot present the UK's position satisfactorily at the North Sea Conference next week without being able to give an unqualified commitment to ending sludge dumping by 1998. The morning Press and an increasing number of individual MPs are already well seized of this issue and will harry us unmercifully if we do not deliver on this. We would gain no credit for the positive environmental progress we have made over the last two years including in particular our decision on treatment of discharges to sea. And the pressure would continue indefinitely after the Conference ensuring us a continuing bad Press.

I should be very grateful if we could speak further about this as it does seem to me an extremely serious issue. We need to resolve the matter urgently since as we have already agreed I have arranged a major Press conference on Monday March 5 to announce our decisions before leaving for the North Sea Conference next day.

I am copying this letter to John Gummer and Sir Robin Butler.

Yours ever

pp C.P.

(approved by the Secretary of State and signed in his absence)

2 March 1990

CONFIDENTIAL

CONFIDENTIAL

PRIME MINISTER

SEWAGE SLUDGE DUMPING AT SEA

I was grateful for our short discussion on Thursday about the arrangements for ending sewage sludge dumping at sea. I have now drafted the announcement I propose to make on this taking account of the points you made. I enclose a copy of those paragraphs of my proposed announcement on Monday and which deal with sewage sludge.

I am quite sure that it is necessary to give a firm commitment to ending dumping at sea if we are to retain any credibility at the North Sea Conference next week. It would also appear inconsistent to introduce treatment for all sewage presently discharged untreated to the sea, whilst retaining the option of dumping the resulting sewage sludge at sea.

We must, of course, keep open our options for disposal on land. Where it is acceptable we should use the sludge beneficially on agricultural land. Where this is not possible we have to explore the options of landfill and incineration. There must, of course, be a full environmental assessment before the final choice is made.

I would be grateful for agreement to my proposed announcement. I am copying this minute to John Gummer and to Sir Robin Butler.

C P
2 March 1990

(approved by the Secretary of State and signed in his absence)

B

5. At the London North Sea Conference in 1987 we agreed that dumping at sea would only be permitted where there is no practical alternative disposal route on land. For many of our major conurbations it has proved difficult to identify acceptable land-based disposal options. But we do now believe that environmentally acceptable alternatives to sea dumping can be found. In a separate announcement to Parliament today John Gummer has therefore announced that dumping of sewage sludge should be stopped by end 1998.

6. It would not be right for us to lay down at this time precisely which particular land-based disposal options should be adopted. That will, in any case, vary according to the particular circumstances of each location. It is our intention that wherever possible sludge should be used beneficially. Where this is not practicable then other options such as landfill and incineration must be considered.

7. You will know that John Gummer announced on 22 February

Ministry of Agriculture, Fisheries and Food
Whitehall Place, (West Block), London SW1A 2HH
Tel: 01-270-3000 Direct line: 01-270- GTN: 270
Telex: 889351 Fax: 01-270-8125

Dominic Morris Esq
Prime Minister's Office
10 Downing Street
London
SW1

2 March 1990

Dear Dominic,

DUMPING OF SEWAGE SLUDGE AT SEA : INSPIRED PARLIAMENTARY QUESTION

The Prime Minister will wish to be aware of the attached inspired parliamentary question which my Minister intends to answer on Monday 5 March, prior to the North Sea Conference on 7-8 March.

A copy of this letter and enclosure goes to Tim Sutton (Lord President's Office), Murdo MacLean (Chief Whip's Office), Douglas Slater (Lord's Whips), Sonia Phippard (Cabinet Office), Roger Bright (Environment) and Jim Gallacher (Scotland).

Yours sincerely

Ray Alderton

R L ALDERTON
PARLIAMENTARY CLERK

cc Mr Lebrecht - PPS/Min
Mrs Reay - PS/Mr Curry
Mr Boyling - MEP
Mr Dugdale - Inf

100 years

Dumping at Sea of Sewage Sludge

Draft Question

To ask the Minister of Agriculture, Fisheries and Food, whether he will make a statement about the dumping of sewage sludge at sea.

Draft Reply

The arrangements reached at the 1987 North Sea Ministerial Conference included an undertaking in principle not to dump materials in the North Sea unless there are no practical disposal alternatives on land. In the case of sewage sludge some 70% of the UK's production of this material is now disposed of on land. The Government has continued to encourage sewerage undertakers to develop the use of practical land-based disposal methods for the remainder. In particular we have identified significant advances in incineration techniques both as regards their efficiency and environmental impact.

In view of this encouraging progress in the development of alternative methods, we have now decided to terminate the sea disposal of sewage sludge by the end of 1998.

This will mean a substantial programme of work to be undertaken in order to implement alternative disposal methods. A major capital investment will be required. Planning permission where necessary must also be obtained.

dti

the department for Enterprise

CGPU

A

PRIME MINISTER

CONFIDENTIAL

MISC 141 : DISCUSSION ON THE AQUATIC ENVIRONMENT

I have seen the note circulated attached by Chris Patten on the effect on greenhouse gas emissions of ending sewage sludge dumping at sea.

I remain adamantly opposed to this proposal. The note states that land disposal would increase CO_2 emissions by some 500,000 tonnes a year. I must accept that figure but I cannot accept Chris' view that this is a minor adverse environmental effect. It would involve increasing CO_2 emissions by an amount equal to, or greater than, the savings which might be produced by some of the individual response measures we will be considering at our meeting next week. This is on top of the CO_2 penalties we will incur as a result of fitting catalytic converters to cars and flue gas desulphurisation equipment to power stations.

I appreciate the political arguments for ending dumping at sea. But the fact remains that we would be giving up a practice which has not been shown to have any environmental disbenefit and committing ourselves to one which we know will add to the greenhouse problem. We would thus no longer be basing our policy on sound scientific advice, but departing from it, yet again, for reasons of political expediency.

PS4.110

CONFIDENTIAL

dti

the department for Enterprise

I think the political case for ending dumping also needs to be weighed against the political acceptability of incineration on land. The fact of the matter is that it will be very difficult to get plans for new incinerators through the planning system; and that the process of doing so will cause us enormous problems and will be subject to lengthy delays. The problems will get worse the nearer we get to the deadline for ending sea dumping. It will also add to costs, at a time when we know water bills present us with a continuing series of increases.

On both counts, I do not accept that ending sea dumping is either the best political or environmental option. I therefore think we should look at the arguments again before a final decision is taken.

I am copying this to other members of MISC 141 and to Sir Robin Butler.

N R
(approved by the Secretary of State and signed in his absence)

28 February 1990

Department of Trade and Industry

PS4.110

B

PRIME MINISTER

28 February 1990

MISC 141: DISCUSSION ON THE AQUATIC ENVIRONMENT

Nicholas Ridley's minute adds nothing to the points he put forward in MISC 141, and ignores two important factors:

(a) We are committed internationally to ending the dumping of sewage sludge at sea where practical alternatives exist. Such alternatives do exist eg incineration. The only point still at issue is when we can switch to using them.

(b) The international scientific consensus is that dumping sewage sludge at sea may cause environmental damage. The UK has been alone in arguing to the contrary, and within the UK scientific opinion is beginning to shift - see the attached extract from the summary of papers given to a recent NERC seminar on water quality. While the extent and nature of the environmental damage is unclear, scientists in other North Sea countries argue for a "prudential approach" which we, of course, are advocating on climate change.

CAROLYN SINCLAIR

THE SEAS AROUND US

Euripedes, writing in the fifth century BC, said that '*the sea washes all man's ills away*', a philosophy that Man has found convenient to follow ever since. However, for the UK and other countries in western Europe bordering the North Sea - one of the most densely populated and industrialised parts of the world - there is growing evidence that our coastal waters are not the infinite sink that we would wish.

Shores around Britain vary widely in structure and exposure, from rugged cliffs to dunes and salt marshes, and thus show considerable ecological diversity. For this reason alone they are highly valued amenity areas. Many stretches of shoreline and bathing beaches have a level of pollution that is less than satisfactory. Recent legislation prohibiting the disposal of garbage from ships in European waters will reduce some of the nuisance from litter, one of the more visual offences. Most public concern, however, is over the health hazards posed by sewage debris washed up on beaches or from microbial infection from poorly treated effluents. Many of the sea outfalls from coastal towns and resorts date back to the last century and are now inadequate in both size and length, a problem which will require enormous capital expenditure in the near future. Further , the question of the efficacy of sewage disposal at sea is an issue on which there is currently no consensus within the EEC.

European population centres

Whether wastes eventually reach the sea through sewage pipes, through direct dumping from ships or by way of river flow, there is no denying that in the somewhat enclosed and relatively shallow North Sea, the demands now being made on its self-purifying ability are increasing relentlessly. Locally, the North Seas's vulnerability may be increased by the currents around the British Isles which tend to concentrate inputs in certain areas while reducing them in others. These effects may be compounded in some regions by wind-driven circulations.

Pollution hazards

Two categories of contaminants give rise to water quality problems in the open seas. First there are toxic wastes and hydrocarbons. It would be foolish to be sanguine about the hazards associated with their disposal, even though these dangers are now well recognized. There is extensive legislation either in hand or about to be implemented to deal with them. Damage from hydrocarbon spillages still seems to happen with depressing frequency in coastal areas. However, despite the increase in offshore oil and gas extraction, the concentrations of oil in the open sea are low, with most oil present in the dissolved, dispersed or adsorbed form, not usually visible on the surface of the water except during accidental spillages. Recent data show a reduction in the quantity of oil discharged from refineries and reception facilities. There is still concern internationally about the severe damage to marine life and birds caused by illegal discharge of fuel and oil from ships.

A second category includes rather more 'natural' substances, such as sewage - including direct dumping from ships - and the constituents of land runoff which can give rise to nutrient enrichment in the sea. The associated environmental threat is difficult to quantify and has, as yet, received little legislative attention in the UK. A particular issue to resolve is the degree to which these additional nutrients cause or exacerbate eutrophication.

Complicated pattern of currents in UK coastal waters

Algal blooms

Algal blooms are essentially natural events: a rapid outburst in growth of the small, single-celled phytoplankton in response to improved growth conditions, usually present in the spring and early summer.

CE/M.

D

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref

Your ref

The Rt Hon Peter Brooke MP
Secretary of State
Northern Ireland Office
Whitehall
LONDON
SW1A 2AZ

28 February 1990

DISPOSAL OF WASTE AT SEA

Thank you for your letter of 25 February. I do understand the points you make about securing realistic implementation periods for ending sewage sludge dumping and treating all sewage discharges. In the case of sewage sludge, end 1998 is both a feasible proposition and probably the latest date that will be acceptable at the North Sea Conference. As you may know all other countries are pressing for a ban on sludge dumping from end 1995.

For sewage treatment, conversely, we do not propose to set a target date for full implementation at present. We believe that further detailed investigation is required to determine what is practicable. I agree with you, therefore, that the implementation date is a matter to be negotiated in the context of the EC Waste Water Directive. Given the substantial investment programme already planned for the next ten years I doubt that it is realistic to expect this new programme to be completed before 2005 at the earliest.

Finally, I note your concerns about public expenditure implications. This is, of course, a matter for the Treasury rather than for me and no doubt you will be pursuing this with Norman Lamont.

These will be major issues at the North Sea Conference next week. Unless you have major reservations, and subject to the final agreement of other colleagues, I plan to announce our decisions on them on Monday 5 March.

I am copying this letter to the Prime Minister, Malcolm Rifkind, Peter Walker, John Gummer, Norman Lamont and to Sir Robin Butler.

Yours

CHRIS PATTEN

ENV APPAIRS: Acid Rain Oct '84

Sept

Northern Ireland Office
Stormont Castle
Belfast BT4 3ST

BF when DOE pr chor GD reply.
CMS

Rt Hon Christopher Patton MP
Secretary of State for the
Environment
2 Marsham Street
LONDON
SW1 3EB

25 February 1990

Dear Chris,

DISPOSAL OF WASTE AT SEA

Thank you for sending me a coy of your letter of 6 February to Malcolm Rifkind about the disposal of waste at sea.

You state that it is only a matter of time before the United Kingdom is forced by its Continental neighbours to curtail substantially, if not to eliminate altogether, the disposal to the marine environment of industrial waste, sewage sludge, and untreated sewage effluent. On the other hand we would be committing substantial resources to meet costs which,in the case of sewage sludge and sewage outfall, we do not consider are compelling in environmental terms. In strictly economic terms the value for money would, therefore, be poor.

The cost of ceasing to dump sewage sludge in the Irish Sea and/or curtailing the discharge of minimally treated sludge to coastal waters is likely to be proportionately higher in Northern Ireland, and, therefore, to impact more severely on customers, than in England and Wales, unless, of course, we succeed in securing substantial assistance from the structural funds of the European Community. Another important consideration which I have to bear in mind is that in Northern Ireland the cost of improving sewerage services would count in full for public expenditure purposes, even if grant-aided from Brussels.

It is most unlikely that I could meet this cost out of existing resources. I have already signalled to the Treasury that I expect to come forward with a bid for additional resources to meet existing EC requirements. If these new proposals were adopted the consequential costs would almost certainly have to be the subject of a further bid though we cannot yet be firm about the timing of such a bid.

Because these new proposals would represent poor value for money, I would ask you to reconsider whether a less pessimistic negotiating stance should be adopted. Could Northern Ireland be excluded from the Sewage Sludge proposals (the North Channel is entirely different from the North Sea) or could an extension be negotiated to, say 2010? Or failing that it would be helpful if Northern Ireland could be excluded from, or given as long a period as possible to implement, the Disposal of Sewage through Sea Outfalls proposal, preferably until, say, 2010. While ultimately these concessions may not prove negotiable, it would surely be better to begin by negotiating for the most satisfactory outcome, even if we have to give ground in due course. Could I ask you to adopt this stance at least in respect of Northern Ireland?

I am copying this letter to the Prime Minister, Malcolm Rifkind, Peter Walker, John Gummer and Norman Lamont and to Sir Robin Butler.

Yours ever

Peter

PB

GOV AFFAIRS : NORTH SEA, OCT 90.

PRIME MINISTER (1)

THE AQUATIC ENVIRONMENT

You agreed last night that Mr Patten should go ahead with an announcement that the dumping of sewage sludge in the North Sea should be phased out by 1998; and I have circulated your decision. The papers are at Flag C.

Mr Ridley wrote (Flag A) before learning of your decision saying that he remains opposed to this and questioning Mr Patten's view - which you have accepted - that the effect on global warming of burning sewage sludge is so small that other considerations outweigh it. He also says that there is no scientific evidence against dumping of sludge. Carolyn Sinclair provides a note on this at Flag B which shows that the international scientific consensus is that it does cause harm.

The North Sea Conference starts next Tuesday and the UK will be completely isolated on this issue if it does not make an announcement on Monday. We are already committed to stopping dumping where there are practicable alternatives (which given the practice on the continent there clearly are in this case).

You may also want to be aware of an exchange of correspondence between Mr Brooke and Mr Patten about the position in Northern Ireland on the various forms of dumping discussed at Misc 141. This is at Flag D. Mr Brooke argues that a more lenient regime should be allowed for Northern Ireland, perhaps negotiating longer deadlines, because of the costs they face. But this is presentationally very difficult to defend; and Northern Ireland is in the same position as Scotland, which you have said should come in line with England and Wales.

Content to overrule Mr Ridley's objections on sewage sludge and to allow an announcement on Monday to go ahead?

Agree that Northern Ireland should come in line with the rest of the United Kingdom; and accept the decisions of Misc 141?

CDS

Caroline Slocock
28 February 1990

file

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

28 February 1990

Dear Roger,

MISC 141: DISCUSSION ON THE AQUATIC ENVIRONMENT

The Prime Minister was grateful for your Secretary of State's minute of 26 February in which he explains the effect on greenhouse gases of the disposal of sewage sludge on land and in particular through incineration. She accepts that, although the dumping of sewage sludge in the sea is less harmful in terms of greenhouse gases, the adverse effect of incineration is very small. Given our international commitments and the other environmental arguments against dumping sludge in the ocean, the Prime Minister agrees that your Secretary of State should make an announcement on 5 March that the United Kingdom should seek to end dumping of sewage sludge in the North Sea by 1998, subject to obtaining the necessary planning permission for the introduction of incineration plants. The announcement would also cover the decision made by MISC 141 on the discharge of untreated sewage to coastal waters.

I am copying this to the Private Secretaries to members of MISC 141 and to Sonia Phippard (Cabinet Office).

Yours sincerely,

Caroline

(CAROLINE SLOCOCK)

Roger Bright, Esq.,
Department of the Environment.

PRIME MINISTER

INCINERATION OF SEWAGE SLUDGE

The last meeting of Misc 141 agreed that the UK should seek to end the dumping of sewage sludge in the North Sea by 1998, subject to obtaining planning permission for the introduction of incineration plants. But Mr Ridley raised a problem over CO2 emissions which you wanted to resolve before making a firm commitment. Mr Patten has explored the position and a note is attached. In the light of this, he hopes that you can agree that incineration is a viable alternative to dumping sewage sludge; and that an announcement can be made on 5 March, in time for the North Sea Conference.

However, his note does show that, as far as CO2 is concerned, dumping in the sea is environmentally better (the sea absorbs three-quarters of the carbon dumped whereas incineration leads to the emission of all the CO2 in the sludge). But the amount of CO2 involved is very small: incineration would lead to an increase of only 0.08% in carbon emissions. And incineration produces about the same amount of CO2 as other methods of disposal on land (although the release is on a shorter timescale).

The UK is committed by the 1987 North Sea Conference to end the dumping of sewage sludge where there are viable alternatives. Incineration and the disposal of sewage sludge on land are methods already used on the continent. Given the very small effect on CO2 emissions of incineration, it is difficult to argue that there ~~isn't~~ no practicable ones alternative available in the UK.

Mr Patten's note explores whether sewage sludge might be dumped in the Atlantic. But this he says is prohibitively expensive; and would break an EC Directive.

In view of this, are you content that the UK should announce on 5 March that it will phase out the dumping of sewage sludge in the sea?

CBS

Caroline Slocock
27 February 1990

Yes

THE RT HON JOHN WAKEHAM MP

NB PM CDS

Department of Energy
1 Palace Street
London SW1E 5HE
01 238 3290

The Rt Hon Christopher Patten MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON
SW1P 3PY

27 February 1990

Dear Chris

Thank you for copying to me your letter of 13 February to John Gummer regarding the proposed handling of the UK's interests in the forthcoming North Sea Conference.

I fully agree with the lines you propose to take at the conference regarding offshore installations. I would stress that we have reached an agreed position, after very hard bargaining, with the other North Sea States, on the control of discharges from offshore installations. Even at the last meeting of the heads of delegation in January, agreement on a timescale for eliminating discharges of oil contaminated cuttings from exploration and appraisal wells was only reached after the UK agreed to reduce the cut-off date from 1995 to 1994. We consider that it would be impossible to achieve an earlier date than this and I hope therefore that any attempt at the conference to alter it will be strenuously resisted.

I am copying this letter to members of MISC 141 and to David Waddington, Tom King, Peter Brooke, Tony Newton and Michael Howard.

Yours ever
John

JOHN WAKEHAM

ENV AFFAIRS: North Sea Conference
Oct 1984

CPU

PRIME MINISTER

MISC 141 DISCUSSION ON THE AQUATIC ENVIRONMENT

Following our discussion on sewage sludge dumping at sea last week I was invited to produce a note on the effect on greenhouse gases. Accordingly I now enclose a note which has been cleared interdepartmentally at official level.

This shows that the effect on greenhouse gases of disposing of sludge on land is the same whether sludge is spread on land or incinerated. Modern incinerators use the sludge itself as fuel and require only a very small initial burn of fossil fuel to start up the process: thereafter no further burning of fossil fuel is required.

It is, of course, essential that we look at the overall environmental implications of our policies and that we should not resolve one at the expense of creating another. But equally we cannot refuse to countenance sound environmental policies in one area simply because they have a minor adverse environmental effect elsewhere. We have to look at issues in the round.

I am convinced that on this issue the small adverse effect on greenhouse gases falls within the acceptable level and that it is not of a magnitude that might cause us to reconsider our approval of a ban on sludge dumping at sea.

I would be grateful for confirmation by Thursday that you are content that as agreed at the meeting we should now move to ban sewage sludge dumping at sea. I propose to announce this together with our agreement on treating sewage discharges to coastal waters on Monday 5 March.

NB the decision on industrial waste has already been announced

I am copying this to other members of MISC 141, and to Sir Robin Butler.

CP

26 FEB 1990

SEWAGE SLUDGE DUMPING AT SEA: EFFECT ON GREENHOUSE GASES

1. Over 600 million tonnes of carbon dioxide is produced each year from burning fossil fuels at power stations, in vehicles and so forth. A further 24 million tonnes is cycled through the human food chain. This is a cycle and unlike burning of fossil fuel it does not result in a build up of CO_2. Of the 24 million tonnes about $^3/_4$ of a million tonnes is dumped in the sea as sewage sludge. Some of this subsequently returns to the human food chain in the form of fish. Some, perhaps up to the equivalent of ½ million tonnes (0.2m tonnes of coal equivalent) remains in solution in the sea, or precipitated in the form of carbonate to the sediments as a carbon sink.

2. All carbon in sludge disposed to land is eventually converted into free CO_2. If incinerated, sludge is converted to CO_2 immediately. If landfilled or spread on agricultural land the conversion is more gradual. But the net effect is the same since incinerators use the sludge as fuel and require only a very small use of fossil fuel to start up the process.

3. Disposing of sludge on land rather than at sea is therefore likely to increase the amount of CO_2 by at most ½ million tonnes per annum (an increase of less than 0.08%). This applies regardless of the precise arrangements for disposal on land. There will also be a further small increase arising from the treatment of sewage discharged to coastal waters but less than that arising from banning sludge dumping at sea.

4. There is a mid way option of dumping sludge in the ocean rather than in coastal waters. But this would be prohibitively expensive, and would face the same political objections. In particular the UK would still have to veto an EC directive to ban sewage sludge dumping at sea.

cc

2 MARSHAM STREET
LONDON SW1P 3EB
01 216 3000

NBPM
CPS

The Rt Hon John Gummer MP
Ministry of Agriculture, Fisheries and Food
Whitehall Place
LONDON
SW1A 2HH

22 February 1990

Dear Minister

DUMPING OF INDUSTRIAL WASTE INTO THE NORTH SEA

Copy paper attached
MISC 141 paper

I have seen Nicholas Ridley's letter to you of 21 February. I agree with the line he puts forward on ending dumping of industrial waste at sea and I am content that you should now announce this change of policy.

I am copying this letter to the Prime Minister, other members of MISC 141 and to Sir Robin Butler.

Yours sincerely

CHRIS PATTEN

pp (approved by the Secretary of State and signed in his absence)

dti

the department for Enterprise

The Rt. Hon. Nicholas Ridley MP
Secretary of State for Trade and Industry

The Rt Hon John Gummer MP
Ministry of Ariculture
Fisheries and Food
Whitehall Place
LONDON
SWA 2HH

Department of
Trade and Industry

1-19 Victoria Street
London SW1H 0ET

Enquiries
01-215 5000

Telex 8811074/5 DTHQ G
Fax 01-222 2629

Direct line 01 215 5622
Our ref
Your ref PB1AII
Date 21 February 1990

Dear John

THE DUMPING OF LIQUID INDUSTRIAL WASTE INTO THE NORTH SEA

I have seen Chris Patten's letter to Malcolm Rifkind and the subsequent correspondence about disposal of waste at sea, and particularly, from my DTI point of view, the disposal of liquid industrial waste.

I fully reconise the emotions that this issue generates in this country and in other North Sea states. Regrettably these emotions have tended to cloud the science. However, I can fully appreciate the risks of the UK yet again unfairly being put in the dock at the Third North Sea Conference, and the damage this could do to global perception of our record on the environment.

Therefore I accept the political need to do as much as we can before the Conference to take the sting out of the current campaign against us - even if the campaign is based on a partial interpretation of the London Declaration. I can accept your proposal for the general aim of bringing licences to an end by the end of 1992 and welcome your acknowledgement of the need to make an exception in the case of ICI. Despite its doubts about the scientific case, the company has made a significant commitment (not least in money terms) to cease sea disposal of its waste, and since its initial announcement has come some way in advancing its timetable and consequently the date when it could give up the option of sea dumping. However, the project to achieve this is large and the company's judgement is that to end its dumping licence in the first part of 1993 as you

Recycled Paper

dti

the department for Enterprise

suggest would leave no room for the sort of teething troubles which its experience on large chemical projects suggests it is very likely to encounter. ICI feels that the earliest prudent date would be October 1993.

I suggest a slight reformulation of your proposal which would retain its positive stance without closing off the possibility of extension of ICI's licence to October 1993 should it encounter the sort of technical problems it foresees. Your announcement could say that extension into 1993 for the final two wastes will be granted only if absolutely necessary on technical grounds, and for the shortest possible period. If pressed for clarification you can say that the firm aim is to end dumping of those wastes as early as possible in 1993 although it should be recognised that there may be technical problems which may require extension into the second half of the year. I have discussed this formula with Douglas Hurd, who has agreed. I think he is content.

Your officials have also been looking hard at the case for an early end to other licences. I understand that it has been accepted that the licence for Woolcombers (Processors) Ltd should continue until October this year as the company has requested. Officials are still in touch about the licence to Allied Colloids Limited. I can understand the concern about the anticipated reaction in the Oslo Commission to the company's case which I understand is mainly that it needs to retain the option of sea disposal to facilitate its expansion plans. Equally the company's legitimate commercial concern should not be ignored and I should be grateful if a final decison can be stayed pending further details of the commercial impact which my officials are urgently obtaining from the company. Clearly care will need to be taken to avoid any suggestion that the case has been treated other than on its own merits without any unfavourable comparison with a decision on ICI's licence.

If my suggestions are acceptable to you and Chris Patten, I doubt that we need discuss the detail at MISC 141.

I am copying this to the Prime Minister, other members of MISC 141 and Sir Robin Butler.

Yours ever

Michael

Recycled Paper

ENV AFF: Waste Disposal
June 19[illegible]

R 2212

cc/u

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref

Your ref

The Rt Hon John Gummer MP
Ministry of Agriculture, Fisheries and Food
Whitehall Place
LONDON
SW1A 2HH

20 February 1990

Dear Minister

I wrote to you on ~~13 February~~ WITH CAS giving you my general view of where we stand on the issues which will be discussed at the Third North Sea Conference. Since then I have had a meeting with Mrs Maij-Weggen, the Netherlands Minister responsible for North Sea issues, who will chair the Hague meeting and is carrying out a series of bi-laterals to discuss difficult issues in advance of the Conference.

I was left in no doubt that the most difficult issues for the UK at the Conference will be dumping at sea, both of liquid industrial waste and sewage sludge. On the first, I know that you have been pursuing the question of a termination date and I also had the opportunity to discuss the issue with ICI last week. In the circumstances I do not think we can do better than the terms outlined in your letter, of termination by end 1992 with a six month extension if unavoidable. On the issue of sewage sludge, there is no doubt that the UK is deeply isolated and that a failure to move on this issue would wipe out any credit we might obtain from agreement on other measures. Indeed Mrs Maij-Weggen indicated to me that the success of the Conference will be closely linked to this.

There is also little doubt that the issue of nutrients will dominate North Sea proceedings for some years to come. Although the Netherlands Minister showed some recognition of our position, based on recent scientific studies, there will still be strong pressure for us to play a part in nutrient reduction measures. It remains my view therefore that the unavoidable minimum for this Conference is to eliminate untreated discharges of sewage from all major coastal towns as soon as possible. Our North Sea neighbours also face considerable difficulties in tackling agricultural nutrient inputs and Mrs Maij-Weggen is likely to propose an additional North Sea Conference on nutrients to be held jointly with Ministers of Agriculture in late 1992 or early 1993.

Our discussions also covered a number of other points. Mrs Maij-Weggen was concerned to reach agreement on two of the outstanding issues referred to in my last letter: the application of 50% targets to atmospheric emissions, as far as Best Available Technology will allow; and securing higher reductions for discharges to rivers of 4 substances. She suggested that there should be a target of 70% reduction in discharges of cadmium, mercury, lead and dioxins to rivers. I explained our principled reservations on these, but if acceptable modifications can be made I am inclined to seek to reach agreement at the Conference. On the issue of PCB phase out, I indicated our concern that withdrawal be firmly linked to destruction and that we expected to move to a target date of 2000.

A further issue raised by Mrs Maij-Weggen was the Dutch concern for support for their initiative, already discussed in the NSC preparatory meetings, for a salvage fund to cover interim costs of salving hazardous cargoes or wrecks. I explained that there were a number of difficulties with the proposal but that we could agree to keep it on the table.

I am copying this letter to members of MISC 141 and to David Waddington, Tom King, Tony Newton, Peter Brooke and Michael Howard.

CEJBush

pp CHRIS PATTEN
(Approved by the Secretary of State
and signed in his absence)

cc P.N.

Foreign and Commonwealth Office

London SW1A 2AH

From The Minister of State

19 February 1990

Dear Chris,

DISPOSAL OF WASTE AT SEA

When I wrote to you on 12 February about the dumping of industrial liquid waste into the North Sea, I had not seen your letter of 6 February to Malcolm Rifkind, and had been assuming that you would be handling the disposal of sewage and sewage sludge in MISC 141, where the Foreign Secretary would have had the opportunity to comment. I therefore wanted to ensure that criticism of our position on the dumping of industrial liquid waste would also be taken into account.

// which we are — FCO appear to be confused

The arguments I advanced in my letter for fixing a firm and early date for the cessation of this dumping apply equally to the dumping of sewage sludge and untreated sewage. I therefore strongly support the proposals in your letter. The level of international opposition to our policies and the general perception that we are acting in disregard of the spirit of the Second North Sea Ministerial Declaration already ensure our isolation on these issues at the next Conference in March, and, as I argued in my letter of 12 February, have a serious impact on our now otherwise favourable image overseas on other environmental matters.

I very much hope therefore that colleagues will be able to agree to your proposed package. I do not believe we can credibly defend anything less.

/I am

I am copying this letter to the Prime Minister, Malcolm Rifkind, Peter Walker, Peter Brooke, John Selwyn Gummer, Norman Lamont and Sir Robin Butler.

The Rt Hon William Waldegrave

The Rt Hon Chris Patten MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON SW1

CC PU

CONFIDENTIAL

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

The Rt Hon John Gummer MP
Ministry of Agriculture, Fisheries
and Food
Whitehall Place
LONDON
SW1

16 February 1990

Dear Minister

with CAS?

DISPOSAL OF WASTE AT SEA

Thank you for your letter of 13 February.

I am grateful for your support on these proposals, particularly on dumping of industrial waste, which is, of course, your responsibility. I fully accept your proposals on the end date for industrial waste which I believe represents a significant step forward in public presentation. It is of course for you to announce these steps, but I would ask that the timing should take account of publicity arrangements that we are making in preparation for the North Sea Conference. Perhaps our officials could liaise about the precise timing.

On discharges of untreated sewage, you asked what I mean by 'major coastal towns'. The point here is to fit in with the Municipal Waste Water Directive. As presently drafted, this requires treatment for all discharges from populations greater than ten thousand. However, I am aware that this figure could change during negotiations. I do not therefore want to tie us to any particular figure at present. It may, perhaps, be clearer if I were to substitute 'large' for 'major'.

You also mention the problems associated with shellfisheries. I am aware of these as my Department is responsible for implementing the EC directive on waters for shellfisheries. I would hope that by treating all sewage from populations of greater than ten thousand, there would be significant improvements to coastal shellfisheries. If my proposals for treating most coastal discharges are agreed, I will certainly ensure that your concerns are taken into account when schemes are being designed.

I am copying this letter to the Prime Minister, Peter Walker, Malcolm Rifkind, Peter Brooke, Norman Lamont, Nicholas Ridley and to Sir Robin Butler.

Yours sincerely

CHRIS PATTEN

PP (approved by the Secretary of State and signed in his absence)

ENV AFFAIRS:
Policy on waste 6/89.

Cab.O.

BF

Ministry of Agriculture, Fisheries and Food
Whitehall Place, London SW1A 2HH

From the Minister

CONFIDENTIAL

The Rt Hon Chris Patten MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
London SW1P 3EB

13 February 1990

My dear Chris

DISPOSAL OF WASTE AT SEA

Thank you for copying to me your letter of 6 February to Malcolm Rifkind.

I am of course fully committed to early termination of our remaining licences for dumping at sea the industrial wastes covered by the 1987 North Sea Conference Declaration. The Ministry is pressing licencees hard to put in place alternative means of disposal. I will terminate licences as soon as environmentally acceptable land disposal is available, without disrupting industry.

I am sympathetic to your proposal that a fixed final termination date should be announced. Five of the nine remaining licensed wastes should be dealt with on land within a year. Those companies with longer timescales for implementing land disposal, some involving substantial investment in complex technology, see risks in setting an optimistic deadline which may prove impossible to meet. ICI have written to me on this point, explaining that they have brought forward their timescale for termination from early 1995 and hope, by making all efforts, to eliminate sea disposal by end 1992. However they seek provision to use sea disposal in 1993 if they face technical delays. A second company, Sterling Organics, also has major technical issues to resolve, and has also made a case for licensing into 1993.

Setting an unreasonable deadline would store up problems for the future. I would therefore intend to make an announcement that

/all licenses, with...

all licences, with two possible exceptions, will be withdrawn by the end of 1992, and that an extension into the first half of 1993 for the final two wastes will be granted only if absolutely necessary, and for the shortest possible period.

I am clear that an indefinite continuation of sewage sludge dumping at sea is not defensible. I favour a statement being made before the North Sea Conference that dumping of sewage sludge will be phased out and I am glad that you support that position. I would look to you for guidance as to the length of time required for completion of the process, bearing in mind your responsibilities for waste disposal on land, for the water companies and for the planning process. If you consider that the end of 1998 is the earliest cut-off date which is feasible I can go along with that.

I am pleased that you recognise that increased disposal to agricultural land is unlikely to be a practical alternative partly because of contamination in sludge. The increased risk of nitrate leaching in potential nitrate vulnerable areas is another of my concerns. We already dispose of more sludge to agricultural land than do most other countries. Apart from the nitrate leaching risk, our heavy metal limits are often laxer than elsewhere and set at levels which recent R & D is indicating could damage the soil. I am not seeking a policy change on these points now, but we must recognise the risk that if we ban the dumping of sludge at sea on a precautionary basis we may soon be asked why we continue to allow its application to land used for food production. Apart from this issue of principle, we may well need to review the heavy metal limits sooner rather than later.

Finally I support the principle of eliminating untreated discharges of sewage as soon as practicable. I note that your proposal is solely in relation to major coastal towns. I must point out our concerns for coastal shellfisheries. Parts of our shell fish industry are going to have to face very substantial investments in the purification, handling and storage of their products in order to meet the new standards on microbiological safety which the Commission are about to propose as part of their "1992" plans for the harmonisation of national measures on shellfish hygiene. We need also to continue to protect those 29 shellfish waters we designated in 1981, following EC Directive 79/923. I am concerned that, by restricting the phasing out of untreated discharges of sewage to major towns alone we will be doing little or nothing - and it will seem as such - for our coastal shellfish industries. They fairly represent that their costs follow directly from others' pollution; and that untreated sewage is a significant component.

I am copying this letter to the Prime Minister, Peter Walker, Malcolm Rifkind, Peter Brooke, Norman Lamont, Nicholas Ridley and to Sir Robin Butler.

JOHN GUMMER

CS/MA

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref

Your ref

The Rt Hon John Gummer MP
Ministry of Agriculture, Fisheries and Food
Whitehall Place
LONDON
SW1A 2HH

Prime Minister 16/2

13 February 1990

Pl.

CDS 21/2

Dear John,

As colleagues will be aware, we have been preparing during the last year for the Third North Sea Conference, which I shall attend in the Hague 7-8 March 1990. This letter sets out how we see the Conference prospects and how we propose to handle the UK's interest in all the major topics likely to be discussed.

The North Sea Conference remains for us the primary international focus for policy decisions on a wide range of activities affecting the marine environment, although it is closely linked to the work of other fora. The UK obtained considerable credit from the Second Conference in London in November 1987, hosted by Nicholas Ridley and I very much hope that we can continue to do so in March. A successful Conference is an important element of the presentation of marine protection policies at home and it remains our intention to apply North Sea measures generally to all our coastal waters.

One of the main purposes of this year's Conference is to review the progress on implementation of the decisions of the London Conference, particularly on the reduction of the order of 50% by 1995 in inputs of dangerous substances to rivers and estuaries. Here we have a good story to tell, with substantial reductions already achieved or envisaged. I propose to publish the National Action Plan detailing these measures in advance of the Conference, together with other positive features of the implementation story, including our commitment to the North Sea Task Force, which co-ordinates North Sea science and research and was a UK initiative in the London Conference.

However, it has been clear that other North Sea countries do not regard themselves as bound by the commitment in 1987 to treat this Conference principally as a review of implementation and there has been extensive discussion of new initiatives. Although we have

successfully resolved many conflicting bids in the preparatory meeting and supported a very useful set of further initiatives, there are still several difficult issues for resolution at the Conference.

Discussions have not been helped by a tendency for some Nordic countries to offer 'magic wand' undertakings for further reductions in inputs to the sea when we know that the supporting scientific data is weak and the prospect of delivery poor. More serious has been the consistent tendency of Federal Republic of Germany to press extreme and often unsupported proposals on topics in which the FRG has little direct interest. There has been a marked tendency to table ever more radical proposals without hope of success in order to promote green credentials at home. Against this the UK and France, and to a lesser extent Belgium, have argued for a more realistic and honest approach, supported on occasion by Norway and the Netherlands, which as host country is pulled alternately by pragmatism and pressure to support more radical gestures.

The framework established at the London Conference will continue to determine the broad shape and priorities of the Third Conference including the explicit commitment to the precautionary approach in relation to dangerous substances and more generally not to dispose of waste in the sea if a practicable land-based alternative is available.

Dangerous Substances

The first major topic, and in our view still the most important scientifically in terms of improving the quality of the North Sea is the reduction of dangerous substance inputs to rivers, estuaries and coastal waters. The broad target of a reduction of the order of 50% by 1995 was agreed in London. The Hague Declaration will strengthen it by adopting a common North Sea list of around 35 substances to which this applies. We can agree this (while still giving priority to our own Red List of 23 substances) and also support a series of specific measures to reduce mercury discharges from industry and from batteries, to consider a wide range of other initiatives and support further study of industrial sector emissions by the Paris Commission.

However, several other proposals in this area give us cause for concern. A proposal to seek 50% reductions for atmospheric emissions for around 10 substances, mainly metals, is inadequately supported scientifically. So is a proposal to seek 70-90% reductions in river discharges for 4 substances. A qualification that these shall be "as far as BAT will allow" may help. As in the London Declaration BAT is defined as "Best Available Technology not entailing excessive cost". We will also continue to oppose strongly FRG proposals for a new measure on pesticides - this is unnecessary if the single dangerous substance list is maintained and is intended to deal with a purely German problem, reflecting their own viability to deal adequately with diffuse sources of dangerous substances.

A new initiative for the Third Conference is a proposal to phase out all remaining, identifiable, uses of PCBs. In our view (and that of most other states) we should reject the German and Danish proposal simply to store waste as unacceptable on environmental grounds. Phase out must be linked with destruction. We have so far supported an eventual phase out date of 2005, but our estimates suggest that on the basis of existing plans by industry, the replacement of life expired equipment and the capacity of destruction facilities that the UK should achieve this substantially earlier. I therefore propose to indicate that we expect to achieve elimination by the year 2000 and I believe that agreement will be reached on this date. Attached to this part of the text is a proposal to phase out hazardous PCB substitutes, which we have resisted as unsoundly based. The current text which seeks to deal with them to a "comparable timetable" is we believe the best that can be achieved.

Nutrients looks set to be the single most difficult topic of the March Conference. Briefly, states along the eastern edge of the North Sea suffer from increasing eutrophication problems in their shallow, slow moving coastal water caused by input of nutrient, particularly nitrogen from sewage treatment plants, agriculture and industry. UK coastal waters do not suffer in this way (except in a handful of places such as Langstone Harbour) and since the hydrography of the North Sea generally maintains a separate continental coastal band, there is no evidence that our inputs (which in any event have not risen) contribute in any material way to the problem. Nevertheless the science of this subject is still evolving so that it is difficult for us to prove conclusively that we do not contribute. The nutrient reduction programmes being undertaken by other states are massive (Denmark and FRG are looking for "equal misery") involving extensive application of tertiary treatment - in Germany's case at a cost of 30bn DM.

The UK has firmly resisted the case for standard measures here and argued that proposals must be addressed to affected areas. This distinction appears to have been accepted, but as a price the UK will be pressed to give a general undertaking on treatment. I cannot accept the existing text requiring secondary treatment as a general rule and I have indicated elsewhere how far I believe we could go. We have also offered a proposal to review nutrient inputs from whatever source - for example diversion of sewage sludge from sea to land disposal would cut UK inputs by around 10%.

I have circulated separately to MISC 141 members a paper outlining proposals on dumping at sea which in my view would go a long way to removing hostile pressures which could destroy all the credit we hope to obtain from the Third Conference. The principal issue is sewage sludge, which is still seen in symbolic terms by virtually all other North Sea countries. Industrial waste dumping has also become highly sensitive as the UK is the only country to continue

There are also two Netherlands initiatives which are likely to produce difficult discussions at the Conference. The first is to establish a Salvage Fund for removing hazardous ships and cargoes. Its purpose is to remedy inadequacies or delays in existing and proposed international arrangements and avoid the costs of a major incident falling on one state. Other states have resisted this but we cannot completely discount the option. Secondly the Netherlands are likely to indicate their enthusiasm for establishing an EEZ for environmental reasons. We have made very clear that this is not currently an option for the UK but that we will consider increasing coastal state jurisdiction for particular purposes on its merits. There is already a provision in the EP Bill which extends our jurisdiction on marine dumping.

The Declaration also looks ahead to the Fourth Conference in 1995 to be hosted by Denmark. Follow up meetings, at official level will be necessary but much effort will be applied in the existing conventions - Oslo, Paris and the International Maritime Organisation. However, we can expect greater attention to implementation and enforcement in the North Sea discussions in the intervening years.

The negotiating line I have indicated above largely reflects the discussions already held by officials here and from the Departments concerned. If there are any additional points which colleagues wish to emphasise for inclusion in our negotiating position I would be glad to hear as soon as possible.

I am copying this letter to members of MISC 141 and to David Waddington, Tom King, Peter Brooke, Tony Newton and Michael Howard.

CHRIS PATTEN

ENV AFFAIRS.
N. SEA Conference - 10/84

RESTRICTED

Foreign and Commonwealth Office

London SW1A 2AH

From The Minister of State

12 February 1990

Dear Chris,

THE DUMPING OF INDUSTRIAL LIQUID WASTE INTO THE NORTH SEA

I am sure that you will have noticed the recent growth of criticism by Norwegian and German Ministers and in the British and European press occasioned by the MAFF's announcement of the issuing of further licences for industrial waste dumping operations in the North Sea. I can understand the difficulties of MAFF's position, but I think we should remind ourselves of the foreign policy implications of such dumping, particularly as we approach the Third Ministerial North Sea Conference.

We are clearly perceived in Western Europe and in environmental circles elsewhere as acting in disregard of the spirit of the Second North Sea Ministerial Declaration. We will, I am sure, come under heavy fire at the Third Conference and it is on the dumping of industrial waste which our critics will fix, and we will lose credit for the considerable progress we have made and initiatives we have taken in other North Sea environmental issues, as well as losing our ability to move the Germans on other matters such as PCBs.

There are broader considerations on which the dumping issue may also impact. You know that we won considerable international credit for our initiative in organising the 1988 Ozone Layer Conference. We have since played a very active part in international moves to tackle the problems of Climate Change. And, due in no small part to initiatives taken by the Prime Minister, enjoy a generally favourable image overseas for our position on environmental matters.

All this may be damaged, perhaps seriously, by a highly visible rift between the North Sea Conference parties and ourselves over this dumping issue. I hope that your Department and the MAFF (I am copying this letter to David MacLean) will be able to agree a firm and early date for the cessation of industrial dumping, in time to take the sting out of criticism at the Third North Sea Conference.

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We are, of course, similarly isolated over the dumping of sewage sludge, but I understand it is your intention to raise this IN MISC 141, which I welcome.

The Rt Hon William Waldegrave

The Rt Hon Chris Patten MP
Secretary of State for the Environment
2 Marsham Street
LONDON
SW1P 3EB

GNTT APPEALS: work June 89

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2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref:

Your ref

The Rt Hon Malcolm Rifkind QC MP
Secretary of State
Scottish Office
Dover House
Whitehall
LONDON
SW1A 2AU

6 February 1990

Dear Malcolm,

DISPOSAL OF WASTE AT SEA

It has become evident in recent weeks that disposal of waste at sea will be a major issue at the forthcoming North Sea Conference to be held in the Hague in early March. As you know, the UK is now the only North Sea State that continues to dump sewage sludge and industrial waste at sea. We had hoped that the arguments we had put forward in defence of our present policy would make these minor issues at the Conference. But it is now clear that partly through the antics of pressure groups such as Greenpeace but also because of growing concern in other countries, disposal at sea will be a very high profile issue. We therefore need urgently to sort out our line on these matters. We cannot afford to delay the development of policy on these issues nor to postpone the announcement of decisions until the White Paper is published.

There are three issues of concern to me: the dumping of industrial waste at sea, the dumping of sewage sludge at sea, and discharge of raw sewage through sea outfalls. On these issues our policy is at odds with all other North Sea states. Until now, Ireland has had similar policies to us. But the Irish Government announced on 26 January firm plans to stop dumping of industrial waste and sewage sludge at sea and to eliminate all untreated discharges of sewage from major coastal towns.

Dumping of Industrial Waste at Sea

Strict controls on the dumping of industrial waste were agreed at the 1987 North Sea Conference. This set a deadline of end 1989 for the ending of this practice except for inert materials of natural origin or other materials which can be shown in the competent

international organisation to cause no harm in the marine environment. We have followed this agreement to the letter but continue to licence dumping of waste that causes no harm to the environment. Nevertheless, pressure groups and to a lesser extent other North Sea States are arguing that we are at the very least in breach of the spirit of the 1987 declaration and that we are using loopholes to get round our international obligations. We must, of course, repudiate this. But I believe we should go further. We are already planning to phase out all licences to dump industrial wastes (except for inert materials of natural origin) over the next few years. It would help our public and international position if we could now commit ourselves to a specific deadline for the ending of these licences. The actual date is, of course, a matter primarily for MAFF and I would welcome John Gummer's views on this. For my part I believe that we should be very tough on this issue and allow no more than two to three years. The Irish have announced that they will ban all dumping of industrial waste from 1995.

Dumping of Sewage Sludge at Sea

At the 1987 North Sea Conference we also agreed in principle that "as from 1 January 1989, no material should be dumped in the North Sea unless there are no practical alternatives on land and it can be shown to the competent international organisations that the materials pose no risk to the marine environment". We have therefore accepted in principle that sea disposal for sewage sludge should not be used where there is a practical alternative on land. The UK is the only North Sea State that continues to dump sewage sludge at sea. Within the UK this method of disposal is used for sludge from the sewage treatment works serving many of the major conurbations, eg London, Strathclyde, Edinburgh, Merseyside, Manchester, Tyneside and Belfast. Extensive studies have been carried out which do not demonstrate that sewage sludge dumping causes serious or long term harm to the marine environment and that compared with alternative disposal routes sea dumping can be the best practical environmental option. Nevertheless, we are committed to alternative arrangements on land if this is practical.

Alternative disposal routes are disposal on agricultural land, landfill, and incineration. Disposal to agricultural land is unlikely to be a practical alternative both because of the contaminants in sludge, and the absence of locally available land. Landfill may be a practical alternative for some locations, but it is unlikely that suitable sites could be found around many of the major conurbations. In most cases, therefore the only realistic alternative to sea dumping is likely to be incineration. To replace sea dumping completely by incineration would, we estimate, require capital investment of some £180m (including up to £60m for Scotland) and increase running costs by up to £25m per annum (up to £9m per annum in Scotland).

There are environmental objections to incineration, and we can expect opposition to applications for incineration plants. Nevertheless, we cannot argue that there are not practical land-based options for the disposal of sewage sludge, particularly as many other countries, including the USA and most European countries, do dispose of sewage sludge without resorting to the sea. I believe therefore that we should now move towards ending sewage sludge dumping at sea and we should set an end date after which licences to dump would not be renewed. We need to set a date which is credible internationally and which allows our sewerage undertakers sufficient time to implement alternative disposal arrangements. Other North Sea States are arguing for 1995. A recent draft EC directive proposes a date of end 1998: this date has recently been accepted by the Irish Government for ending their dumping. My view is that end 1998 is the very latest acceptable date.

Disposal of Sewage through Sea Outfalls

We have long accepted in this country that sewage discharge to rivers must first be treated. But for coastal discharges, we have adopted a policy of dilute and disperse, allowing natural processes to render the sewage harmless. In recent years it has been acknowledged that this policy is acceptable only where the discharge is some distance from the shore and at a suitable location where the currents and tide will not bring the sewage back onto the shore. This approach was endorsed by the Royal Commission on Environmental Pollution (RCEP) in 1984. Since then, however, the policy has come under considerable criticism and applications for discharge consents for untreated sewage through long sea outfalls face mounting criticism from the public. Even RCEP, in evidence to the Environment Select Committee, have said that were they to study this issue again they would be very sceptical about present policy, and it should not be assumed that they would again endorse our present approach.

The European Commission has recently brought forward a draft directive which sets minimum treatment standards for sewage and requires that all sewage should be treated before discharge, including discharges to coastal waters. At present around 17 per cent of UK sewage is discharged to sea (in Scotland the figure is around two-thirds): some is screened to remove grit and gross solids but it is otherwise untreated. We commissioned a study last year to assess the implications - both environmental and financial - of this proposal. We have not yet received that report (although we expect it shortly) but we understand that it will confirm that there is no evidence that discharges through long sea outfalls have a serious adverse effect on the marine environment. On the financial side the

consultants estimate that the capital cost of introducing primary treatment for all coastal discharges would be around £1bn and running costs will increase by around £25m per annum. For secondary treatment these costs would be doubled. Costs are disproportionately higher in Scotland because of the greater use of sea outfalls: present indications are that up to 20% of costs would be in Scotland.

These costs are on the basis that a decision is taken early and the investment programme to install treatment is integrated with the already planned £1.4bn investment programme to improve bathing waters. If these programmes were not co-ordinated the costs of treatment would be much higher.

The cost of introducing treatment for coastal discharges is substantial but it would not be immediate and the investment would, of course, be spread over a number of years. The water industry in England and Wales is already committed to a £24bn investment programme over the next ten years and it is unlikely that they could increase this substantially. In any event new sewage works take several years to design and build. The majority of the additional costs would not therefore arise until the late 1990s and early part of the next century. The effect on water charges would be an increase spread over a decade or more of between 4% and 8% nationally but with regional variations. It would be on top of real term increases of around 5% per annum throughout the 1990s, but would have a minimal effect on the RPI.

The UK is now the only Community member state advocating discharge of untreated sewage to the sea. In my view we can no longer hold to such a policy: our main support for it has been the backing from the Royal Commission on Environmental Pollution in 1984. But even RCEP have backed off endorsing discharge of untreated sewage in recent evidence to the Environment Select Committee. My view is that like the Irish we should now commit ourselves to eliminating untreated discharges of sewage from all major coastal resorts. But we should leave open for further study the level of treatment to be provided and the timescale. These matters can be negotiated in the context of the EC Directive.

Overall Assessment

On purely scientific grounds the case has not been made out for banning dumping at sea and treating coastal discharges of sewage. But other countries when confronted with these issues have adopted a precautionary approach and both banned dumping and introduced treatment of sewage. We are now isolated on these issues. This leads me to question whether we can be sure that our policies are right. I am also doubtful that we will ever convince the public that the policies are right especially given the level of international opposition to them.

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These issues will arise at the forthcoming North Sea Conference, and will be high profile. If we stand out against them then they will continue as high profile issues in discussions on the EC Directive and in other international gatherings. They are not going to go away.

My view is that our present policies are not defensible at least in the long term. The right time to change policies is now so that we obtain the maximum benefit from the investment programmes already announced. We also need to change now if we are to claim the credit for it. If we resist until after the North Sea Conference it will look as if we have simply succumbed to international pressure. I would hope therefore that you and other colleagues to whom this is copied could agree to an announcement before the North Sea Conference that:

a) dumping of industrial waste at sea should be stopped as soon as possible, say end 1992;

b) dumping of sewage sludge at sea should be stopped by end 1998 at the latest; and

c) we should eliminate untreated discharges of sewage from all major coastal towns as soon as practicable.

This has to be seen as a package. We cannot sensibly ban sludge dumping whilst continuing to discharge untreated sewage. Nor could we sensibly introduce treatment for sewage and dump the resultant sludge in the sea.

These issues will be covered in the forthcoming MISC 141 paper on the aquatic environment but in view of the urgency of the decisions I am seeking I thought it only right to give colleagues most concerned with these issues advance notice. I would very much welcome your views.

I am copying this to the Prime Minister, Peter Walker, Peter Brooke, John Gummer, Norman Lamont and Sir Robin Butler.

Yours.

CHRIS PATTEN

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FILE

KK

(40)

SUBJECT cc Master

bc PC

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

17 May 1989

PRIME MINISTER'S MEETING WITH THE MINISTER PRESIDENT OF LOWER SAXONY

The Prime Minister had a brief meeting this morning with Dr. Albrecht. Most of it was devoted to a discussion of the German position on SNF in which Dr. Albrecht found himself rather on the defensive. However, towards the end, he did make a brief reference to the initiatives which he had taken to clear up the Elbe on which the Prime Minister complimented him. The Prime Minister in turn recalled the London Conference on the North Sea and confirmed that we remained committed to measures included in the Ministerial Declaration issued then. We were looking forward to the follow up Conference.

Dr. Albrecht referred even more briefly to the use of military training areas in Lower Saxony by British Forces. This gave rise to some difficulties with the local population. He understood that it was difficult for British Forces to restrict their training any further. The only point which he would ask the Prime Minister to consider was whether there was any scope for reducing such training on Sundays. The Prime Minister took note but thought it unlikely we could do anything further to reduce our training.

I am copying this letter to Kate Bush (Department of the Environment) and to Brian Hawtin (Ministry of Defence).

(C. D. POWELL)

Richard Gozney, Esq.,
Foreign and Commonwealth Office.

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cc PS/ PS/ MR

Foreign and Commonwealth Office

London SW1A 2AH

16 May 1989

Dear Charles

Minister President of Lower Saxony

The Prime Minister will see Dr Albrecht briefly on Wednesday 17 May at noon. The German Embassy, who are responsible for the programme, have also arranged for him to call on the Environment Secretary earlier that morning and then to have detailed discussions with DOE experts before he sees the Prime Minister.

Dr Albrecht recently visited East Berlin; environmental issues figured prominently in his talks, with the main emphasis on the need to clear up the River Elbe which discharges many pollutants into the North Sea. The prime aim for his visit here is to burnish his image by being seen to be discussing North Sea pollution with the Prime Minister and to gain further publicity for his recent announcement of far-reaching measures affecting the North Sea (background in Bonn telno 504 (attached). But he is not expected to go into detail nor to raise other environmental issues. The Prime Minister will wish to describe the UK commitment to environmental protection generally; the lead we are taking on the ozone layer, both at the London Conference in March and then in Helsinki; and our recent global climate initiative, as set out by Sir Crispin Tickell in new York last week (ie a Convention on Climate Change, to be supplemented by specific Protocols as scientific research progresses; and strengthening UNEP). A copy of Crispin Tickell's presentation is enclosed. Many in Germany still question our credentials and it would be useful if the Prime Minister could take the opportunity to dispel any remaining doubts in Dr Albrecht's mind.

On the North Sea, the Prime Minister could recall the London Conference in November 1987. All concerned considered it a great success. Agreement was reached on a package of very substantial measures. The UK stands by its commitment to the measures included in the Ministerial Declaration at the London Conference to maintain the quality of the North Sea. We were the first North Sea State to issue guidance to local authorities and industry on how we intended to turn words into action.

/The

The next North Sea Conference, hosted by the Netherlands in March 1990, was intended primarily to review progress on the implementation of the measures agreed at the London Conference, but the Dutch and others, including the FRG, want to see some new initiatives. We are at odds with the Germans on some issues. They are insisting on singling out the North Sea for regional initiatives on stricter standards to control operational shipping discharges, eg for oil and chemicals, while the UK and the majority of other countries wish to see improved worldwide standards where these can be realistically achieved. We are also under pressure to give up entirely dumping industrial waste at sea. At the same time, it is possible that the Germans may not make the necessary progress to phase out incineration within the timescale set out by the London Declaration. It will certainly be very difficult for them.

The Prime Minister might assure Dr Albrecht that, despite our differences in approach, we stand by our commitment to the London Declaration. We expect to be able to show real progress by the time of the next conference on the main issues (eg the action plan on discharges to rivers and estuaries to be published in early 1990). We want to ensure the success of the Conference in the Netherlands and we shall continue to work to that end in the preparatory meetings.

Dr Albrecht has not said he wishes to raise any other matters with the Prime Minister. As you know, the presence of British forces in Lower Saxony means we need a good working relationship with him, and although there are local sensitivities over low flying and ground exercises, we understand relations are generally amicable with the Land authorities. The Prime Minister may wish to thank him for his government's assistance to our forces in the post and express the hope that it will continue in the future. Should he raise the Soltau Lueneburg training area and low flying, the background is set out in Bonn telno 504. The Prime Minister could respond on the lines suggested; but might add that low-flying is a matter for all the allies and not only of bilateral concern.

I am copying this letter to Kate Bush in the Department of the Environment.

Yours ever

Robin

(R N Peirce)
Private Secretary

C D Powell Esq
10 Downing Street

DA2ABO

PRIME MINISTER

MEETING WITH THE MINISTER PRESIDENT OF LOWER SAXONY

You have a short meeting tomorrow with Dr. Albrecht, the Minister President of Lower Saxony. You will remember that he was your host during the European Council in Hanover. He is CDU but not seen any longer as a serious contender for high office in Bonn.

Dr. Albrecht's main purpose in coming to see you is publicity for himself and in particular for various initiatives he is taking on cleaning up the North Sea. He has recently announced measures to reduce the amount of phosphates flowing from Lower Saxony into the North Sea by 50/60% and the nitrates by 30/40%. He may press the case for a concerted programme of action on the part of all North Sea states. You will remember that we had a successful conference in London in 1987 on this and there is to be a follow-up in the Netherlands next year. We do not see eye to eye with the Germans on this. They want to focus on the North Sea: we want improved worldwide standards. But you can assure him that we stand by our commitment to the London declaration.

He may also raise a number of defence matters (Lower Saxony is the main area for British forces). You will want to thank him for the good co-operation our forces receive. If he raises any questions about training - either tanks or low flying - you will want to remind him of how much of the low flying we already do over the United Kingdom.

You may also like to ask him about the political situation more generally in the FRG and the prospects for the coalition.

Some fuller briefing is in the folder.

C.D.P.

(C.D. POWELL)
16 May 1989

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INFO SAVING HAMBURG

FOLLOWING FOR WED

ALBRECHT'S CALL ON THE PRIME MINISTER: 17 MAY

SUMMARY
1. ALBRECHT WILL BE KEEN TO USE HIS CALL ON THE PRIME MINISTER FOR PUBLICITY PURPOSES. AND WILL ADVOCATE POLLUTION CONTROL MEASURES FOR THE NORTH SEA. HE MAY ALSO RAISE THE SOLTAU-LUENEBURG TRAINING AREA AND LOW FLYING.

DETAIL
2. ALBRECHT (SEE LPR) HAS BEEN MINISTER-PRESIDENT OF LOWER SAXONY SINCE 1976. HIS POSITION IS NOW PRECARIOUS. THE CDU. IN PARTNERSHIP WITH THE FDP. HAVE A ONE VOTE MAJORITY IN THE LOWER SAXONY PARLIAMENT. THEY ARE EXPECTED TO LOSE CONTROL AS A RESULT OF THE LAND ELECTIONS IN MAY 1990.

3. AGAINST THIS BACKGROUND. ALBRECHT WILL BE KEEN TO USE HIS CALL ON THE PRIME MINISTER TO BURNISH HIS IMAGE. AND IN PARTICULAR TO GAIN FURTHER PUBLICITY FOR HIS ANNOUNCEMENT (ON 5 APRIL) OF FAR-REACHING MEASURES AFFECTING THE NORTH SEA. AT A TOTAL COST BY 1993 OF DM4.35 BILLION. THE PRINCIPAL AIM OF THESE MEASURES IS TO REDUCE THE AMOUNT OF PHOSPHATES FLOWING FROM LOWER SAXONY INTO THE NORTH SEA BY 50-60 PER CENT. AND THE NITRATES BY 30-40 PER CENT. (THE DISCHARGE OF THESE NUTRIENTS IS WIDELY BELIEVED TO BE RESPONSIBLE FOR THE PROBLEM OF NORTH SEA ALGAE BLOOM). TO ACHIEVE THIS AIM. ACTION IS BEING TAKEN IN LOWER SAXONY TO TREAT WASTE WATER AND SEWAGE IN ORDER TO REMOVE NITRATES AND PHOSPHATES. OTHER MEASURES WILL PROVIDE FOR THE INSTALLATION OF SEWAGE TANKS ON ALL TOURIST SHIPS GOING TO THE EAST FRISIAN ISLANDS AND A REDUCTION OF PHOSPHATES IN WASHING POWDERS.

4. ALBRECHT WILL WANT TO PORTRAY HIS CALL ON THE PRIME MINISTER TO THE PRESS AS A FURTHER DIPLOMATIC INITIATIVE FOLLOWING HIS VISIT TO EAST BERLIN ON 26/27 APRIL. WHEN HE WAS ABLE TO ANNOUNCE MEASURES TO CLEAN UP THE ELBE. HE WILL NO DOUBT PRESS WITH THE PRIME MINISTER THE CASE FOR A CONCERTED PROGRAMME OF ACTION ON THE PART OF ALL THE NORTH SEA LITTORAL STATES.

5. HE MAY ALSO RAISE CERTAIN DEFENCE-RELATED MATTERS (SEE BELOW) WITH AN ENVIRONMENTAL ANGLE. THE LOWER SAXONY GOVERNMENT HAS TRADITIONALLY BEEN FOR THE MOST PART SUPPORTIVE AND HELPFUL TO THE BRITISH FORCES IN GERMANY. THERE HAS ALWAYS BEEN GOOD COOPERATION OVER THE ADMINISTRATION OF EXERCISES. AND NEGOTIATIONS ARE CURRENTLY UNDER WAY FOR FURTHER EXTENSIVE USE OF LOWER SAXONY TERRITORY IN

BAOR EXERCISED THIS YEAR. THE PRIME MINISTER MAY THEREFORE WANT TO PREFACE ANY REPLY TO ALBRECHT BY THANKING HIM FOR HIS GOVERNMENT'S ASSISTANCE TO OUR FORCES IN THE PAST. AND EXPRESSING THE HOPE THAT IT WILL CONTINUE IN THE FUTURE.

SOLTAU-LUENEBURG TRAINING AREA (SLTA)

5. THE SLTA IS THE ONLY TRAINING AREA IN THE FRG WHERE BAOR CAN CONDUCT ARMOURED EXERCISES. DESPITE HAVING INTRODUCED OVER THE YEARS A NUMBER OF VOLUNTARY RESTRICTIONS ON THEIR USE OF THE AREA. TO THE POINT WHERE TRAINING IS NOW IN PRACTICE LIMITED TO SEVEN SO CALLED RED AREAS. BAOR ARE NOW UNDER RENEWED PRESSURE FROM OFFICIALS AND POLITICIANS AT LOCAL AND FEDERAL LEVEL TO ADOPT FURTHER RESTRICTIONS (NOTABLY A REGULAR SUMMER PAUSE. RESTRICTIONS ON RED AREA TRAINING AT WEEKENDS AND HOLIDAYS. GREATER DISTANCE BETWEEN HOUSES AND OUR SIMULATED FIRING. AND REDUCTIONS IN TRANSIT OF VILLAGES BY TRACKED VEHICLES). THESE DEMANDS WERE INCORPORATED IN A RESOLUTION ADOPTED BY THE LOWER SAXONY PARLIAMENT AT THE END OF 1988. WE ARE CURRENTLY INVOLVED IN DISCUSSION OF THESE POINTS WITH THE FEDERAL MINISTRY OF DEFENCE (FMOD). WITH A VIEW TO TRYING TO SPREAD SOME OF BAOR'S TRAINING REQUIREMENTS TO OTHER BUNDESWEHR OR NATO TRAINING AREAS.

6. IF ALBRECHT RAISES THIS QUESTION THE PRIME MINISTER COULD SAY THAT BAOR HAVE MADE A LOT OF CONCESSIONS OVER THE YEARS. THAT WE ARE LOOKING WITH FMOD AT POSSIBLE SOLUTIONS. AND THAT WE HOPE AN EQUITABLE SOLUTION CAN BE FOUND.

LOW FLYING

7. WHEN I SAW ALBRECHT LAST DECEMBER HE EXPRESSED SUPPORT FOR THE EFFORTS OF THE THEN FRG MINISTER OF DEFENCE TO REDUCE THE IMPACT OF LOW-FLYING. THE NEW DEFENCE MINISTER STOLTENBERG HAS SAID THAT HE WANTS TO ANNOUNCE FURTHER MEASURES IN THE SUMMER. THIS WILL INVOLVE RESUSCITATING THE CONSULTATIONS WITH THE ALLIES WHICH HAVE BEEN MORIBUND SINCE THE ALLIED CHIEFS OF AIR STAFF FAILED TO REACH AGREEMENT ON 20 MARCH.

WED: Not initiated but for all allies

8. ALBRECHT IS KNOWN TO BE CURRENTLY CONCERNED ABOUT LOW FLYING. BUT WE ARE NOT AWARE THAT HE HAS ANY PARTICULAR AXE TO GRIND. THERE ARE NO RAF BASES IN LOWER SAXONY.

9. THE PRIME MINISTER COULD TELL ALBRECHT THAT WE HAVE BEEN DISCUSSING LOW FLYING WITH FMOD: THAT IT IS FOR STOLTENBERG TO MAKE THE NEXT MOVE: AND THAT WE REMAIN READY TO HELP FIND WAYS TO REDUCE THE BURDEN OF LOW FLYING ON THE GERMAN POPULATION WHILST NOT PUTTING AT RISK THE OPERATIONAL READINESS AND EFFECTIVENESS OF THE RAF IN GERMANY. SHE COULD ALSO POINT OUT THAT THE UNITED KINGDOM ALSO BEARS A HEAVY LOW FLYING BURDEN. AND THAT THE RAF HAVE TAKEN MANY STEPS ALREADY TO LOWER THE BURDEN ON FEDERAL GERMAN CITIZENS.

MALLABY

YYYY
BONN WILL PASS SAVING HAMBURG

BPLNAN 4797

File MJ

cc FCO

10 DOWNING STREET

LONDON SW1A 2AA

THE PRIME MINISTER

21 April 1989

Dear Dr. Albrecht.

Thank you for your letter of 17 March.

As you know from the outcome of the London North Sea Conference, the United Kingdom shares the commitment to protect the marine environment and I would be happy to discuss with you further efforts to protect the North Sea. Could you manage 1200 on Wednesday 17 May?

Yours sincerely

Margaret Thatcher

Dr. Ernst Albrecht.

cc PC

2 MARSHAM STREET
LONDON SW1P 3EB
01-276 3000

My ref:

Your ref:

C D Powell Esq
Private Secretary to
The Prime Minister
10 Downing Street
LONDON
SW1A 2AA

CDP
21/4

21 April 1989

Dear Charles,

Thank you for giving us sight of your ~~note~~ attached of 3 April to Richard Gosney at the Foreign and Commonwealth Office about Dr Ernst Albrecht's request to call on the Prime Minister to discuss North Sea matters.

We see no reason to turn down Dr Albrecht's request. We are on target to show a good record of implementation at the Third North Sea Conference and the occasion will give the Prime Minister the opportunity to show that the UK continues to attach a high priority to environmental issues and is willing to learn more of Lower Saxony's plans.

BR

We will prepare detailed briefing in due course.

Yours

CEJ Bush

KATE BUSH
Private Secretary

Dr. Ernst ALBRECHT
17/4

FILE
DA

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

No ack / 3 April 1989

I enclose a copy of a letter which the Prime Minister has received from Dr. Ernst Albrecht.

I should be grateful for advice and a draft reply for the Prime Minister's signature, to reach this office by 17 April.

I am copying this letter and enclosure to Alan Ring (Department of the Environment).

(C.D. POWELL)

Richard Gozney, Esq.,
Foreign and Commonwealth Office.

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

20 April 1989

MINISTER PRESIDENT OF LOWER SAXONY

Thank you for your letter of 14 April about Dr. Albrecht's request for a meeting with the Prime Minister to discuss efforts to protect the North Sea. The Prime Minister can see him very briefly at 12 o'clock on Wednesday 17 May. I assume you will be filling out a programme of appointments with other Ministers.

Meanwhile the Prime Minister is replying to Dr. Albrecht.

I am copying this letter to Kate Bush (Department of the Environment).

Charles Powell

Stephen Wall Esq
Foreign and Commonwealth Office.

CONFIDENTIAL

(1)

R 14/4

Prime Minister

Dr. Albrecht, PM of Lower Saxony, wants to see you in May. It's not a high priority & you really ought to say no

Foreign and Commonwealth Office

London SW1A 2AH

14 April 1989

Dear Charles, no – unless you feel you must repay his hospitality at Hanover.

Request from the Minister President, Lower Saxony to call on the Prime Minister

Thank you for your letter of 3 April asking for advice on how the Prime Minister should respond to Dr Albrecht's request to call on her some time in May to discuss common efforts to protect the North Sea.

Agree no see him? CDP 19/4.

Although Dr Albrecht's political star is possibly in the descendant, he is still an important figure in CDU politics. The presence of British Forces in Lower Saxony adds to the need to have good working relations with him.

We want to build on the success of the London North Sea Conference in November 1987 and put across a positive UK approach to the protection of the North Sea in the run up to the next Conference in The Hague in March 1990. There are some issues where we are at odds with the Germans, which it might be helpful to discuss. We do, therefore, see some interest in a meeting with Dr Albrecht, not least because he was the Prime Minister's host at the Hanover Summit, but only if the Prime Minister can readily find time for it. We do not see it as a high priority.

Yes – he may replace Kohl one day no

/// I enclose a background note on Dr Albrecht, together with alternative draft replies to his letter.

Yours,

Stephen Wall

(J S Wall)
Private Secretary

C D Powell Esq
10 Downing Street

CONFIDENTIAL

ALBRECHT, DR ERNST

Minister-President of Lower Saxony (CDU). A Deputy Chairman of the CDU.

Born 1930 in Heidelberg. Studied philosophy, theology and law in Tubingen, Cornell, Basle and Bonn. From 1954-70 held various posts with the European Communities (1961-63 Deputy Leader of the Delegation handling negotiations for British entry. 1967-70 Director General for Competition in the Commission). In 1971 he quit the Commission to go into Land politics in the CDU interest. Unexpectedly nominated as CDU candidate for Minister-President in 1975. Elected Minister-President in a major upset in February 1976, leading a minority CDU government until the formation of a CDU/FDP Land Coalition at the end of that year. In the 1978 Land election his party obtained an absolute majority in the Landtag, for the first time in Lower Saxony, and held on to it in 1982, thanks in no small measure to Albrecht's personal popularity with the electorate. Elected a Deputy Chairman of the Federal CDU in 1979. In the 1986 Land election the CDU lost its overall majority, but Albrecht was able to form a coalition with the FDP, giving him an overall majority of one.

In 1979 he was initially persuaded by the Federal CDU party, against his own inclinations, to stand as CDU/CSU Chancellor candidate for the 1980 federal elections, but stood down when the CDU decided to put its weight behind the CSU candidate, Franz-Josef Strauss. Albrecht took little part in the election campaign in support of Strauss, and his position in the Federal CDU suffered as a result. After the election he made no secret of his aspiration to be the next CDU/CSU Chancellor candidate and of his low opinion of Helmut Kohl. With Kohl now well established as Chancellor, Albrecht is showing signs of boredom. He seemed for a while to have an eye on a possible job in Brussels when the Commission changes, but apparently no longer.

A great family man, with a wife who was a University lecturer, and six children. Excellent English. Impressive in a cool way. An enthusiastic hunter. Paid a COI Category I visit to the UK in 1980, which he enjoyed and remembers.

DSR 1 (Revised Sept 85)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1 +

FROM:
Prime Minister
DEPARTMENT: TEL. NO:
BUILDING: ROOM NO:

Reference

Your Reference

SECURITY CLASSIFICATION

Top Secret
Secret
Confidential
Restricted
Unclassified

PRIVACY MARKING

..... In Confidence

CAVEAT .....

Enclosures flag(s) .....

TO:

Copies to:

Dr Ernst Albrecht
Minister President of Lower Saxony
Plankstrasse 6
HANNOVER

SUBJECT:

Thank you for your letter of 17 March.

As you know from the outcome of the London North Sea Conference, the UK shares the commitment to protect the marine environment and I ~~shall~~ would be happy to ~~see you some time in May~~ to discuss with you further efforts to protect the North Sea. Could you manage 1200 on Wednesday 17 May?

~~My officials will be in touch with your's about the timing of your call.~~

DSR (Revised Sept 85)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1 +

FROM:
Prime Minister

DEPARTMENT: TEL. NO:

BUILDING: ROOM NO:

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Your Reference

SECURITY CLASSIFICATION

Top Secret
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PRIVACY MARKING

..... In Confidence

CAVEAT .....

Enclosures flag(s) .....

TO:

Dr Ernst Albrecht
Minister President of Lower Saxony
Planstrasse 6
HANNOVER

Copies to:

SUBJECT:

Thank you for your letter of 17 March. I was interested to hear about the campaign you are planning. I much regret that my diary in May in such that I shall not be able to see you to discuss this myself. But I know that Geoffrey Howe or Nicholas Ridley would be only too pleased to do so.

AMANDA

Paul

I rang Michael Ryder in the FCO (270 2392) to check on Dr. Ernst Albrecht's title. He is the Prime Minister of Hamburg; each State has its own PM and this is the sort of category of person that could call on Mrs. Thatcher. However he thought it unusual that he had written direct and said they would want to check with the Embassy in Bonn before advising. Is this now over to CDP? — yes

MRM

Charles O/R

MARIE

31/3/89

I'll leave him one to you if I may.

RACG

3.4

DR. ERNST ALBRECHT
NIEDERSÄCHSISCHER MINISTERPRÄSIDENT

D - 3000 HANNOVER, DEN PLANCKSTRASSE 8
Tel. 0511/120-6901

March 17, 1989

The Rt. Hon.
Margaret Thatcher, M.P.
Prime Minister
10 Downing Street

London SW1A 2AA

GREAT BRITAIN

R24/3

Dear Prime Minister,

I attend to start a campaign in Lower Saxony to improve the ecological conditions of the North Sea. I would appreciate it very much, if I could pay you a visit sometime during May to examine with you our common efforts in favour of the North Sea.

If you see a chance to receive me, please give me a short notice. My secretary shall then contact your secretary to fix a convenient date.

With my best regards

Sincerely Yours,

Albrecht

dti

the department for Enterprise

CS Ref

nbpm

The Rt. Hon. Kenneth Clarke QC MP
Chancellor of the Duchy of Lancaster and
Minister of Trade and Industry

Rt Hon Nicholas Ridley MP
Secretary of State
Department of the Environment
2 Marsham Street
LONDON
SW1P 3EB

Department of Trade and Industry

1-19 Victoria Street
London SW1H 0ET

Switchboard
01-215 7877

Telex 8811074/5 DTHQ G
Fax 01-222 2629

Direct line 215 5147
Our ref
Your ref
Date 21 January 1988

Dear Nick,

SECOND INTERNATIONAL CONFERENCE ON THE PROTECTION OF THE NORTH SEA: IMPLICATIONS FOR THE UK

WW REQUEST IF REQUIRED

Thank you for copying to David Young here your letter of 14 January to John MacGregor.

I agree that it is important for the Government to make clear how it intends to discharge its obligations arising from the North Sea Confernece and, subject to one point below, I am content with the text of the draft Guidance Note. It will, of course, be necessary to carry out formal consultations with industry and others about detailed implementation of the Declaration as reflected in the Guidance. It would be helpful if, prior to consultation with industrial interests, your officials were to continue to work closely with mine.

My one comment on the draft text is that the present wording of paragraph 15 is open to the interpretation that the UK has no policy over the use of phosphates in detergents, and that we are looking forward to an EC Directive to provide us with one. I am sure that this is not the impression intended and suggest that

JA5AAD

dti

the department for Enterprise

alternative wording should be used which does not leave us effectively committed to an EC proposal with which we cannot agree.

Copies of this letter go to the recipients of yours.

KENNETH CLARKE

JA5AAD

688-273

DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET
Telephone (Direct dialling) 01-215 5147
GTN 215
(Switchboard) 01-215 7877

From the Chancellor of the Duchy of Lancaster
and Minister of Trade and Industry

THE RT HON KENNETH CLARKE QC MP

Rt Hon Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
68 Whitehall
LONDON
SW1A 2AT

CDP
19/11

19 November 1987

Dear Willie,

INTERNATIONAL NORTH SEA CONFERENCE

will regard if required

I have seen Nicholas Ridley's letter to you of 17 November concerning the sea incineration line at the Conference.

I accept Nicholas's judgement that the alternative line I offered the Department of the Environment in my letter of 12 November has little prospect of success at the Conference. I also recognise that our existing obligation under the Oslo Convention leaves us with little room for manoeuvre.

In the circumstances, albeit with great reluctance, I am prepared to agree the UK line on sea incineration proposed by DOE. But I trust that our concession on this front will only be used as a last resort, in order to avoid UK isolation; and that the concession is used to best advantage in protecting industry's legitimate interests elsewhere - in particular, sea disposal.

If agreement is reached on 1995 as a termination date to be negotiated in the Oslo Convention, early steps will have to be taken to assist companies which currently use sea incineration to find environmentally and economically acceptable alternative disposal routes. I would be grateful if DOE would involve my officials in taking this work forward.

Finally, I regard it as essential that any concession over sea incineration should not be taken as a precedent for further departures from our science-based approach to environmental protection. In particular, we must avoid in future the sort of commitments that we have entered into under the Oslo Convention.

EC3ACI

I am copying this letter to Nicholas Ridley, to other members of H Committee, and to Sir Geoffrey Howe, George Younger, Cecil Parkinson, John MacGregor, Sir Robert Armstrong and Mr Wilson (Cabinet Office).

KENNETH CLARKE

EC3ACI

999.49

ENV. POC: N Sea Cont.

From: J B UNWIN CB, Deputy Secretary

CABINET OFFICE
70 Whitehall London SW1A 2AS Telephone 01 270 0240

P 02753

Dr M W Holdgate CB
Department of the Environment
2 Marsham Street
LONDON SW1P 3EB

29 June 1987

INTERNATIONAL NORTH SEA CONFERENCE

Only MAFF and DTI Ministers have responded to my note seeking agreement on the proposed UK policy lines and tactics for the 8 policy areas for the Conference discussed recently at EP. Since the note was circulated on the basis that a nil response by close of play on 25 June would be taken as indicating acceptance, I now assume that all other Ministers are content.

2. You will see from the copies of the letters attached that both MAFF and DTI Ministers are also broadly content. The Chancellor of the Duchy of Lanccaster, however, stresses that his acceptance of the approach to Policy Area VII rests on the basis that the further work on its detailed implications is progressed in consultation with other Departments and with industry. He also asks that any preliminary announcement that may be necessary at the Policy Working Group should make it clear that the new approach is planned only for a limited range of the most dangerous substances.

3. On Policy Area VIII, both MAFF and DTI Ministers have stressed the need for the UK to maintain sea disposal as an option for sewage and industrial waste where this is the best practicable environmental option, and that, as we discussed in EP, the way in which the UK operates this policy should be presented very positively at the Policy Working Group meeting. MAFF Ministers are also concerned that we should not take too passive a stand in relation to the activities of other participants and indicate a number of points on which they would wish to have information to hand before the Ministerial Conference in November. It would be helpful if the Foreign and Commonwealth Office would consider how best to pursue the points made by MAFF Ministers with relevant EC and Scandinavian posts.

4. Subject to the points made in these letters and summarised above, you may now regard the lines proposed in the note as a formal negotiating brief for the Policy Working Group meeting.

5. I am copying this letter to members of EP.

Yours ever,

Jim

J B UNWIN

DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET
Telephone (Direct dialling) 01-215) 5147
GTN 215)
(Switchboard) 215 7877

THE CHANCELLOR OF THE DUCHY OF LANCASTER
AND MINISTER OF TRADE AND INDUSTRY

THE RT HON KENNETH CLARKE QC, MP

22 26/6
LORD PRIVY SEAL

Michael Eland Esq
Private Secretary to
Lord President of the Council
Privy Council Office
Whitehall
SW1A 2AT

26 June 1987

Dear Michael,

INTERNATIONAL NORTH SEA CONFERENCE

The Chancellor of the Duchy of Lancaster has asked me to pass on his comments on the proposed UK policy line set out in H(87)22 on the main issues to be discussed at the North Sea Conference.

The Chancellor is content with the proposed line for policy areas I - VI and VIII, stressing in particular the UK commitment to maintaining sea disposal as an option for sewage and industrial waste.

As regards the line proposed in VII (the input of dangerous substances to water), informal soundings suggest that industry would view with concern the introduction of across-the-board controls on water pollution based on the principle of 'best available technology not entailing excessive cost' (BATNEEC).

The CBI has in addition expressed the view that the control mechanisms appropriate to one environmental medium (in this case air) are not necessarily suitable for another (in this case water) and that it would be premature to make any new commitment in this area before the publication of the Royal Commission on Environmental Pollution's study with the concept of the 'Best Practicable Environmental Option'.

The Chancellor is reassured to note that DOE proposes to introduce BATNEEC only for a limited range of the most dangerous substances. He considers that that fact should be made clear in any preliminary announcement of the new approach, should it prove necessary to make one at the officials group next week, and notes also that a lot more work will need to be done on the detailed implications in

JE2ACJ

consultation with other Departments and with industry, before the new approach could be implemented in practice. On that basis he is content with the suggested approach.

I am copying this to those on the attached list.

Yours sincerely,

Peter Smith

PETER SMITH
PRIVATE SECRETARY

JE2ACJ

PS/Foreign and Commonwealth Secretary
PS/Chancellor of the Exchequer
PS/Secretary of State for Energy
PS/Secretary of State for Wales
PS/Lord Privy Seal
PS/Secretary of State for Social Services
PS/Secretary of State for Northern Ireland
PS/Minister of Agriculture, Fisheries and Food
PS/Secretary of State for the Environment
PS/Secretary of State for Employment
PS/Secretary of State for Education
PS/Chief Secretary to the Treasury
PS/Secretary of State for Scotland
PS/Secretary of State for Transport
PS/Parliamentary Secretary to the Treasury

JE2ACL

Ministry of Agriculture, Fisheries and Food
Whitehall Place London SW1A 2HH

From the Minister of State

CONFIDENTIAL

A J Langdon Esq
Secretary
Home & Social Affairs Committee
Cabinet Office
London SW1

25 June 1987

Dear Mr Langdon,

NORTH SEA CONFERENCE

My Ministers have seen the note (H(87)22) circulated by the Secretariat on 22 June and the note annexed thereto by the Chairman of the Official Committee on Environmental Protection. Subject to two tactical points, they broadly endorse the line proposed on the eight policy issues to be discussed at the next meeting of the Policy Working Group of Officials on 1-2 July.

As you know, my Minister has the statutory responsibility under the Food & Environment Protection Act for licensing the dumping of waste at sea. Practically all the industrial waste consigned for sea dumping from the UK arises in England, as does most of the sewage sludge and dredged spoil. No such dumping is licensed unless the Ministry judges that it would cause no harm to the marine environment and that there is no reasonable land-based alternative. This point should be clearly presented, especially as the Quality Status Review prepared by the scientific experts for the Conference produced no evidence to call our judgement into question on that score. As the quantities of sewage sludge and industrial waste consigned for sea dumping may well increase if water authorities, notably in the North East, continue to press industry to cease direct discharges of waste into the water courses, it is essential that the UK preserves the option of sea dumping for cases where it is the best practicable environmental method of waste disposal. This is particularly relevant in view of the proposals on the reduction of inputs of dangerous substances which are set out in paragraphs 8-15 of the EP Chairman's note.

Secondly, my Ministers are concerned that we should not take too passive a stand in relation to the problems of other participants. They consider that we should be using our posts in the EC and Scandinavia to discover the extent to which others are diverting attention away from their own environmental

ENVIRONMENTAL AFFAIRS: North Sea Conf.

problems by attacking the UK. Indeed, they find it difficult to understand why we have not already started to do this. For example, we should know the extent to which the Federal Republic of Germany exports its wastes to the Eastern Bloc and to France, and dumps dredged spoil in its inshore waters without regulation, or the extent to which the Dutch discharge sewage to sea by pipeline because they (and the Germans) are running out of land on which it can be safely spread. This kind of information, they believe, should be available to them in good time for the Ministerial Conference in November.

I am sending copies of my letter to the Private Secretariat to members of H Committee and to the Secretaries of State for Scotland, Wales, Trade & Industry, Energy and Foreign & Commonwealth Affairs and to Sir Robert Armstrong.

Yours sincerely
A Bastian
A J Bastian
Private Secretary

NW

LAW OFFICERS' DEPARTMENT
ROYAL COURTS OF JUSTICE
LONDON, WC2A 2LL

H. STEEL, CMG OBE
LEGAL SECRETARY

Our Ref: LEAK 10/85

17 September, 1985

Dear Robert,

NEW SCIENTIST REPORT ON PROPOSED
UNITED KINGDOM NORTH SEA CONFERENCE

I have seen Michael Franklin's letter to you of 16 September and have discussed it with John Wood (Deputy DPP). We are happy for the investigation to be pursued in the manner proposed on the understanding that the head of MAFF's Security Section will conduct it as nearly as possible as if he were conducting a police investigation, i.e. with a view to obtaining evidence which would be admissible in any subsequent legal proceedings. If he gets to the point - as he may well do - where he cannot advance further (and therefore cannot get at the truth) without doing or saying something which might foreclose the option of legal proceedings, we hope that he could temporarily disengage so as to allow us all to take stock.

I am copying this letter to Michael Franklin and to Nigel Wicks and Antony Duff.

Yours ever
Henry

H STEEL

Sir Robert Armstrong GCB CVO
Cabinet Office
70 Whitehall
London SW1

Env Affairs: North Sea Conference.
Oct 84

Ministry of Agriculture, Fisheries and Food
Whitehall Place
London SW1A 2HH

Sir Michael Franklin KCB CMG
Permanent Secretary

CONFIDENTIAL

Sir Robert Armstrong GCB CVO
Cabinet Office
70 Whitehall
LONDON
SW1A 2AS

16th September 1985

Dear Robert,

As you agreed in your letter of 2nd September, our security staff have been pursuing their enquiries into the recent report in the New Scientist about a proposed United Kingdom North Sea Conference.

In considering how we might best do so, I am mindful of the probability that, in any external investigation, cooperation would be refused by Mr Dalyell and the New Scientist, so making successful legal proceedings a rather remote prospect. Essentially, we shall have to depend upon an admission of guilt by the officer concerned, and I believe that our own security staff are most likely to secure this. If we proceed in this way, we have in my view the maximum chance of discovering what happened while still leaving open the question, in the light of their further report, whether to deal with the matter by way of legal proceedings or - as I would prefer - disciplinary action. I hope you and Henry Steel can agree that I should instruct the head of Security Section - who is an ex-police officer - to pursue his investigations with this officer.

I am sending copies of this letter to Nigel Wicks, Antony Duff and Henry Steel.

Yours ever

Michael

MICHAEL FRANKLIN

cc Mr G Stapleton
Mr W E Mason
Mr D H Griffiths
Mr A V Vickery

CONFIDENTIAL

H. STEEL, CMG OBE
LEGAL SECRETARY

LAW OFFICERS' DEPARTMENT
ROYAL COURTS OF JUSTICE
LONDON, WC2A 2LL

Sir Robert Armstrong GCB, CVO.
Secretary of the Cabinet
Cabinet Office
70 Whitehall
London SW1A 2AS

3 September 1985

Dear Robert,

NEW SCIENTIST REPORT ON PROPOSED
UNITED KINGDOM NORTH SEA CONFERENCE

Thank you for sending me a copy of Michael Franklin's letter to you of 21 August and your reply of 2 September. I agree with the proposal that the leak should be further investigated by MAFF's own security and investigation staff and also agree - and I am grateful to you for taking the point - with your caveat about their need to avoid jeopardizing any future police action and to suspend their enquiries as soon as anybody is identified as a possible subject for legal proceedings.

I am copying this letter to Michael Franlkin, Nigel Wicks and Antony Duff.

Yours ever,

Henry Steel

H STEEL

CONFIDENTIAL

N. Sea Conference: Environmental Affairs
Oct. 1984

CONFIDENTIAL

70 WHITEHALL, LONDON SW1A 2AS

01-233 8319

From the Secretary of the Cabinet and Head of the Home Civil Service

Sir Robert Armstrong GCB CVO

Ref. A085/2199 2 September 1985

My dear Michael

Thank you for your letter of 21 August — attached — concerning the recent report in the New Scientist about a proposed United Kingdom North Sea Conference.

It is indeed disturbing that both this incident and the one in 1983 should have involved the same area of the Department's work. I understand that the person who came under suspicion in 1983 would not have had direct access to the papers on this occasion, but the possibility must exist that there may have been others who would have had access to both sets of information. The threat posed by this situation is such that I agree that the matter should be pursued.

Although this is the kind of case that we would normally refer to a member of the MPO's Central Panel of investigators, on this occasion I agree, subject to Henry Steel's views, that it would be preferable to ask your own investigators to take on the task. I am sure that, because of their police background, they will be sensitive to the need to avoid doing anything during the course of their enquiries which might jeopardize any future police action, but I should be grateful if you would ensure that enquiries are suspended immediately in the event of evidence being obtained which might raise the possibility of legal proceedings being taken against anyone.

I look forward to receiving a copy of the report on the investigation in due course.

I am sending copies of our correspondence to Nigel Wicks, Antony Duff and Henry Steel.

Yours ever

Robert

Sir Michael Franklin KCB CMG

CONFIDENTIAL

Ministry of Agriculture, Fisheries and Food
Whitehall Place
London, SW1A 2HH

Sir Michael Franklin, KCB CMG
Permanent Secretary

c - Mr Duffie -
Advice or draft reply please
Cont 22/8

CONFIDENTIAL

Sir Robert Armstrong GCB CVO
Cabinet Office
70 Whitehall
LONDON
SW1A 2AS

21st August 1985

Dear Robert,

The edition of the New Scientist of 8th August on page 58 reports accurately words used by the head of one of our Fisheries Divisions in a minute to the Minister's office of 18th June. The substance relates to a proposed UK North Sea Conference. I attach a copy of the extract from the New Scientist. The matter was reported promptly to me and I commissioned our Departmental Security Officer to make preliminary enquiries. These have established that the wording quoted in the New Scientist was indeed that of the minute of 18th June and that the minute - which was not classified - was circulated initially to about 14 people within the Ministry and has probably been seen by a wider number both within Fisheries Group and elsewhere in London and at our laboratories at Lowestoft and Burnham-on-Crouch.

The leak is more embarrassing than politically or internationally damaging. Mr Waters' minute is expressed in his characteristically vigorous style, but it was not written for public consumption. However, what makes me inclined to take the matter further is the fact that this leak concerns the same area of the Department as did the leak to Greenpeace which I reported to you in my letter of 1st September 1983. We followed up the 1983 leak as comprehensively as we could but in the end, despite the help of one of the MPO investigators and the police, we were unable to pin the leak on any particular person. Nonetheless we moved certain staff to try to reduce the degree of risk. Clearly we have not eliminated it.

What I propose to do, if you agree, is to make use of our security and investigation staff here, all of whom have police experience, to follow through the work already done by the Departmental Security Officer. The aim would be both to show the staff that we are not prepared to overlook such leaks and to establish quickly whether there is a real chance of pinpointing the source of the leak. We could leave open for the moment whether we could seek the help of one of your investigators and/or the police. I should be glad to know if you are content with what I propose. We will continue our enquiries pending receiving your views.

Yours ever,

Michael

MICHAEL FRANKLIN

CONFIDENTIAL

DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET
Telephone (Direct dialling) 01-215 5186
GTN 2151
(Switchboard) 215 7877

From the Minister of State for Industry

Norman Lamont MP

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

15 August 1985

Dear Patrick

UK NORTH SEA CONFERENCE

In Norman Tebbit's absence I am replying to your letter to Geoffrey Howe of 24 July 1985, copied to colleagues, concerning preparations for the next North Sea Conference. I have also seen Michael Jopling's letter of 1 August.

I share your view that we should seek to use the conference to promote understanding of long term trends in the condition of the North Sea as a basis for decisions concerning its future management. However, in view of the tough line that we can expect other delegations to take on this issue, I agree with Michael Jopling's suggestion that a decision on the creation of an international steering committee should be delayed until we have the clearest possible view of the line we intend to take.

I am copying this letter to Members of the Cabinet and to Sir Robert Armstrong.

Yours ever
Norman

NORMAN LAMONT

JO7AAX

999-7

Env. Affairs 10/84

UK N. Sea Conference

Ceato

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

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

6 August 1985

NBPM

Dear Patrick

UK NORTH SEA CONFERENCE

Thank you for sending me a copy of your letter of 24 July 1985 in which you express support for holding the Conference in November 1987, and outline in broad terms a course of action leading to the development of a Conference Agenda.

I agree with your proposals and my officials will be pleased to co-operate in the preparatory work leading up to the Conference.

I am sending copies of this letter to other members of the Cabinet and to Sir Robert Armstrong.

Yours ever

Nicholas

NICHOLAS RIDLEY

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

John Ballard Esq
Private Secretary to the
Secretary of State for the Environment
2 Marsham Street
LONDON
SW1P 3EB

6 August 1985

Dear Mr Ballard

UK NORTH SEA CONFERENCE

My Secretary of State has seen your Secretary of State's letter of 24 July with the conclusion that the North Sea Conference should be held in November 1987.

Mr Younger agrees that we should proceed on the lines suggested and he would be glad to have Scottish Office officials attend meetings of the International Steering Group. As regards the possibility of the final preparatory meeting being held in Scotland, we have asked our officials to discuss this with yours as soon as is practicable.

I am copying this letter to the private secretaries of other members of the Cabinet and to Sir Robert Armstrong.

Yours sincerely
D. Lamkettan
for J S GRAHAM
Private Secretary

DHD00901.085

Environmental Affairs; N/S Conf., Oct 84

NBPM AT 1/8

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH

From the Minister

The Rt Hon Patrick Jenkin MP
Secretary of State for the Environment
2 Marsham Street
London SW1P 3EB

1 August 1985

Dear Patrick

UK NORTH SEA CONFERENCE

Thank you for sending me a copy of your letter of 24 July to Geoffrey Howe about the timing and handling of the UK North Sea Conference. I very much welcome your decision that the Conference should be held in November 1987.

I agree that the next step should be for officials to prepare proposals on the agenda and handling of the conference, including its relationship with the work of established inter-governmental agencies such as the Oslo, Paris and London Conventions. As you know, I attach particular importance to this planning stage for the reasons set out in my earlier letters of 20 June and 4 July. As several Departments besides our own have a substantial interest here, I think that it would be appropriate for this exercise to be co-ordinated by the Cabinet Office, on the basis of proposals from your officials. Once we are satisfied that our plans have been well laid, we can then consider how best to inform the other participating countries, and (more importantly) how best to concert a common approach with those such as the Belgians and the French who are likely to be more inclined to our standpoint.

Accordingly, I would prefer to postpone a decision on the creation of an international steering committee, on the lines that you have proposed, until we have a clearer view of how we intend to proceed. Whilst I recognise that such a meeting may well be desirable at a later stage, and that we shall need to take due account of the wishes of participating countries, I do think that it would be a mistake to approach other countries until we are quite clear in our minds as to our own objectives and tactics.

I am copying this letter to other members of the Cabinet and to Sir Robert Armstrong.

Yours
Michael

MICHAEL JOPLING

MM

NBPM
AP
26/7

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

24 July 1985

Dear Geoffrey,

UK NORTH SEA CONFERENCE

I am grateful to you and other colleagues for your responses to my letter of 4 June about the timing of the UK North Sea Conference.

I have carefully considered all the points raised bearing in mind in particular the Lord Chancellor's concern that a spring or autumn 1987 date might clash with a General Election, and the Oslo Commission's decision last month to begin a major study on sewage sludge dumping that would not be completed by spring 1987. I conclude by agreeing with you that the balance of advantage would lie in holding the conference in November 1987. This would of course maximise the opportunities for further research and monitoring before the conference, and would also help to prevent overtaxing our resources in the immediate run up to the meetings of the Oslo and Paris Commissions in summer 1987. The main risk attached to a late 1987 date had seemed to me to be mainly one of souring the goodwill of the more activist of the other North Sea states. As you say, however, we should be able to defend November 1987 provided we give a firm undertaking on the date and demonstrate at an early stage that we are making active preparations.

I share Michael Jopling's concern that we should not expose ourselves to any risk of losing the initiative to the Germans, or indeed the Dutch, through lack of preparation on the agenda and tactics. At Bremen we successfully stressed the need for decisions to have a sound scientific basis. We must continue to press this approach at our own conference. This time I hope we can obtain a sound foundation for decision on the future management of the North Sea by seeking to improve the understanding of long term trends in its condition. I am therefore asking my officials to agree inter-departmental proposals for our approval for a title and themes for the

ENV. Aff: N. Sea Conference OCT 84

conference and for the associated scientific and technical work. These proposals, once agreed, would form the agenda for the first international steering meeting of senior officials which would be chaired by my Department, and held this autumn. On this basis I would propose to write to the international participants in the conference by the beginning of September to tell them our decision on timing and to send them a copy of the agenda for the proposed official level steering meeting. The steering meeting would also need to agree a timetable for structuring the preparatory work for the conference. In this connection I welcome the proposal made by George Younger that the final preparatory meeting might be held in Scotland, and I suggest that this might be explored further by our officials.

I would be grateful if you and other colleagues would let me know as soon as possible if you have any reservations about proceeding on this basis.

I am copying this letter to other members of the Cabinet and to Sir Robert Armstrong.

Yours ever

Patrick

PATRICK JENKIN

The Rt Hon Sir Geoffrey Howe QC MP

2F.

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

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

17 July 1985

Dear Patrick

UN NORTH SEA CONFERENCE

Thank you for sending me a copy of your letter to Geoffrey Howe of 4 June 1985 proposing that the next North Sea Conference be held in the late Spring of 1987. I have also seen Michael Jopling's letters of 20 June and 4 July, George Younger's of 26 June, and Geoffrey Howe's minute of 2 July.

I had not previously commented on the question of the timing of the proposed conference, but perhaps I could add my support to those who favour a date in Autumn 1987. I would prefer the Conference to be held at as late a date as possible, because the earlier it is held the greater the danger that insufficient time will have passed since the Bremen Conference to evaluate the results of further scientific study or technical work. Also, an earlier date would not allow time to assess the effectiveness of the implementation of Annex II of the MARPOL Convention dealing with noxious liquid substances, which will not enter into force until the Spring of 1987.

I am sending a copy of this letter to the Prime Minister and other members of the Cabinet, and to Sir Robert Armstrong.

Yours ever
Nicholas

NICHOLAS RIDLEY

DNV Att: N. Sea Conference

COPY

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH

From the Minister

NBPM
CBD
4/7.

CONFIDENTIAL

The Rt Hon Patrick Jenkin MP
Secretary of State for the Environment
2 Marsham Street
LONDON SW1P 3EB

4 July 1985

Dear Patrick

UK NORTH SEA CONFERENCE

I have now seen Geoffrey Howe's minute of 2 July in which he endorses my own proposal that we should offer to hold the North Sea Conference in November 1987. I agree that there is no reason, in principle, why the Germans and others should not be so informed if that is the date on which we all agree. However, in practice, I am clear that we ought first to prepare the ground very thoroughly so that we run no risk of losing the initiative to the Germans. I say that for several reasons.

First, the Germans themselves carefully framed the structure and timing of their own North Sea Conference before they started out, and they should therefore expect no less of us. Secondly, we need to be clear about our own objectives and tactics at what is, after all, our Conference. We surely do not want to expose ourselves to the risk of having unwelcome initiatives foisted upon us, to our detriment, when we could avoid them by better control of the agenda from the outset. We must recognise that the Germans are still pursuing objectives which could severely damage our economic interests, for example, by banning sea dumping in the North Sea. Thirdly, as I pointed out in my earlier letter, we shall have three other important environmental conferences in the UK in 1987; namely the Oslo, Paris and London Convention meetings. All of these will require substantial preparation on the part of my scientists, and the North Sea Conference will create an extra burden for them. I do therefore want to be in a position to decide as early as possible how to allocate my limited scientific resources to best effect.

/For all ....

North Sea Conference: Env. Affairs
Oct 84.

For all these reasons, I consider that it is far preferable that we should settle the agenda and the tactics in the way I proposed earlier before we make any announcement to the Germans and others about the date or venue of our own North Sea Conference.

I am copying my letter to the Prime Minister, to the other members of the Cabinet and to Sir Robert Armstrong.

Yours Ever
Michael.

MICHAEL JOPLING

EC NO

FCS/85/198

NBPM
CM.

SECRETARY OF STATE FOR THE ENVIRONMENT

UK North Sea Conference

1. Thank you for your letter of 1 June proposing that the next North Sea Conference be held in London in the late spring of 1987. I have also seen the Lord Chancellor's letter of 17 June and Michael Jopling's letter of 20 June expressing a preference for November 1987.

2. I agree that offering to hold the conference in 1986 when the necessary scientific studies would not yet be ready does not make good sense. On the other hand, I think it would be better not to plan to hold the conference in the Spring or Summer of 1987, when, as Lord Hailsham points out, we may be having a General Election. This therefore points to offering November 1987 after the London Dumping Convention meeting in September or October of that year. I can see that Herr Zimmerman and possibly some of the other coastal states including the Netherlands and Sweden would prefer an earlier date but I believe we shall maintain the momentum following the Bremen conference if we give a firm undertaking now to hold the conference in November 1987.

3. Once we have agreed on dates, I would be reluctant to delay informing Herr Zimmermann and the other participants until we have a full agenda to put to them. Indeed, they are hardly likely to expect us to propose a full agenda so early. There will be ample time to do so later and we shall be in no danger of losing the initiative.

4. I am copying this minute to the Prime Minister, to the other members of the Cabinet and to Sir Robert Armstrong.

Foreign and Commonwealth Office

2 July 1985

(GEOFFREY HOWE)

Env. affairs;
Nth Sea Conf
10/8.

cc NO

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

The Rt Hon Patrick Jenkin MP
Secretary of State
Department of the Environment
2 Marsham Street
LONDON
SW1P 3EB

CDP
27/6

26 June 1985

Dear Patrick,

UK NORTH SEA CONFERENCE

Thank you for your letter of 4 June about the UK North Sea Conference. I agree that the Spring of 1987 would be the most satisfactory time for the Conference and that the new Westminster Conference Centre would be eminently suitable for such an event.

I think thorough preparation for a Conference of this sort is important, and I note that there will be close inter-departmental collaboration. My officials will be available to play a full part in this.

Scotland of course has a considerable interest in the North Sea. If you would consider bringing the final preparatory Conference to Scotland I would be all in favour, and my officials would be happy to co-operate with yours in helping to make the local arrangements, within the constraints of our manpower resources.

I am copying this letter to the Prime Minister and other members of the Cabinet and to Sir Robert Armstrong.

Yours ever,

George.

ENV. AFFAIRS: North Sea Conference: Oct 84

SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ
01 211 6402

The Rt Hon Patrick Jenkin MP
Secretary of State for the
Environment
2 Marsham Street
LONDON
SW1P 3EB

NBPM
COR 26/6.

20 June 1985

Dear Patrick

UK NORTH SEA CONFERENCE

Thank you for copying to me your letter of 4 June to Geoffrey Howe about the arrangements for this conference.

I am entirely content with what you propose and have no difficulty with the suggested timing.

Copies of this letter go to the recipients of yours.

Yours

PETER WALKER

ENV AFFAIRS: N Sea Conf. 84-84

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH

From the Minister

The Rt Hon Patrick Jenkin MP
Secretary of State for the Environment
2 Marsham Street
London SW1P 3EB

20 June 1985

Dear Patrick.

UK NORTH SEA CONFERENCE

Thank you for sending me a copy of your letter of 4 June to Geoffrey Howe about the handling of the UK North Sea Conference. As you say, there has already been some informal contact between our officials, and this is welcome, but it is clearly right that there should be close consultation at Ministerial level on the handling of this potentially important Conference.

On timing, I entirely agree that 1986 would be far too early. Whilst it may be true that certain North Sea States would prefer an earlier Conference, it is almost certainly also the case that at least two others would prefer none at all. However, I accept that you are committed to hosting a follow-up Conference in 1986 or 1987 and that the time frame is to that extent already set. Nevertheless, for several reasons, I would not wish to see the Conference held before the Autumn of 1987.

First, it is doubtful whether sufficient new scientific or technical work will have been produced by the end of 1986 to enable the UK Conference to do other than go over the old ground of the Bremen Conference. This would not be in our interest, since much of the ground of that Conference was of the Germans' choosing and the cards would thus in large measure be stacked against us once more. Secondly, a date in early 1987 would clash with the meetings of the scientific committees of the Oslo and Paris Conventions which are two of the most important international organisations concerned with the regulation of marine pollution. The scientists involved in that work would thus find

/themselves ...

themselves distracted by the North Sea Conference, and I believe that both they and many members of the Commissions themselves would regard that with disfavour. Thirdly, and most importantly, the Oslo Commission agreed only last week in response to a German demand, that its scientific committee, SACSA, should review, over the next two years, the impact of sewage sludge on the marine environment. The Chairman of SACSA, who is one of my officials, considers that the new programme of work cannot be sensibly completed until mid-1987. This is because the Germans have first to collect information from all the Oslo Convention states, before presenting it in synthesised form to SACSA to enable it to embark upon the review where the timing will in turn be partly determined by the progress of scientific work on monitoring techniques going forward in ICES which is not expected to be completed before mid-1987. Fourthly, it should be remembered that the London Dumping Convention, in which we have important interests to safeguard and for which much preparation will be needed, is expected to meet in September or October 1987. In these circumstances, it seems to me that we should not be looking for a date earlier than, say, November 1987, which would be only three years after the last Conference.

As to the venue of the Conference, I am content that it should be held in London, where it will certainly be easier for us to manage the physical arrangements. I am, however, concerned at your proposal that you should write to Mr Zimmerman and other foreign participants at this stage before we have agreed on the agenda for the Conference. It is because I so completely agree that we should base ourselves firmly on a scientific approach to the Conference, in order to safeguard our commerce, our industry and our agriculture from the sort of unjustified restrictions on waste disposal that could otherwise be thrust upon them by countries less fortunate in their geographical position, that I attach such particular importance to the tactical handling of the Conference. We should not only be prepared to defend our own position, where we have relatively little to fear from a thorough scientific review. We also need to consider how best to expose the inconsistencies in the position of our critics, for example by drawing attention to the pollution of the Wadden Sea by the Dutch and Germans or by questioning them about the pollution from land-based sources via the Rhine and Meuse.

This all requires the most careful consideration at home, orchestration with the work of the Oslo, London and Paris Conventions, and prior diplomacy with those countries such as France and Belgium which might be helpful to us. I suggest therefore that, before you write to Mr Zimmerman and other Ministers of North Sea States, that we ask officials to work up for us a draft agenda and proposals for the tactical conduct of the Conference. In this way we may hope to avoid the tangles into which the Germans led themselves

/and the rest ...

and the rest of us in 1984 and to work constructively with our allies towards a programme which is likely to yield most benefit to the United Kingdom.

I am copying this letter to the Prime Minister, to other Members of the Cabinet and to Sir Robert Armstrong.

Yours ever
Michael

MICHAEL JOPLING

ENV. Affairs: N. Sea Conference OUT 64

DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET
TELEPHONE DIRECT LINE 01-215 5422
SWITCHBOARD 01-215 7877

Secretary of State for Trade and Industry

19 June 1985

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

NBPM
CBD
2016

Dear Patrick.

UK NORTH SEA CONFERENCE

Thank you for copying to me your letter of 4 June to Geoffrey Howe, seeking agreement on the timing and location of the UK North Sea conference. I am content with what you propose.

2 I share your view that the UK line must be based on a scientific view of what proper management of the North Sea requires, and that we should resist pressure from our partners for extreme solutions, some of which would have significant implications for the competitiveness of UK industry. I should therefore be grateful if my officials could be involved in the preparatory work for the Conference.

3 I am copying this letter to the Prime Ministe, to other members of the Cabinet and to Sir Robert Armstrong.

Yours ever
Norman

NORMAN TEBBIT

JH2AWH

999-1

ENV. Affairs: N. Sea Conference Oct 84

SCNO

HOUSE OF LORDS,
SW1A 0PW

17 June 1985

1. GDP
2. pa.

My dear Patrick,

UK North Sea Conference

In your letter of 4th June 1985 to the Foreign Secretary, you suggested that the follow-up conference to the Bremen Conference would best be held in Spring 1987.

I appreciate the force of your arguments in respect of the technical considerations which led you to that conclusion, in particular the need to avoid criticism from other coastal States, but I do wonder whether it would be wise to plan for the conference in Spring 1987 in view of the possibility that there may be a general election in May or June of that year. With this consideration in mind, it may be as well not to rule out a date in 1986. This course would also have the advantage of leaving no impression of dilatoriness by the United Kingdom.

I am copying this letter to the Prime Minister, to other members of the Cabinet and to Sir Robert Armstrong.

Yrs:

The Right Honourable
Patrick Jenkin MP
Secretary of State for
the Environment

North Sea Conference: Env. Affairs Outlook

cc PO

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

1. GDP
2. pa.

4 JUNE 1985

Dear Geoffrey,

UK NORTH SEA CONFERENCE

You may recall that at the Bremen Conference last autumn on the protection of the North Sea the UK undertook to host a follow-up conference in 1986 or 1987. My minutes of 31 October and 8 November to the Prime Minister set out the issues at Bremen and the successful outcome for the UK. The purpose of this letter is to seek agreement on the timing and location of our conference and on the handling of the preparatory stages.

On timing, we need to strike the right balance between allowing sufficient time for effective review of the impact of the measures agreed at Bremen, and avoiding any appearance of dilatoriness which might endanger the good will amongst the more 'activist' states engendered by our offer to host the conference. The former consideration, together with the pressure on available resources entailed by the likelihood that the UK will hold the EC presidency in the second half of 1986, effectively rule out a date in 1986, despite the FRG preference for 1986 which Mr Zimmermann expressed to me personally earlier this year. A date late in 1987 would maximise the opportunities for research and monitoring, but would be likely to attract criticism not only from the FRG but also from some other coastal states including the Netherlands and Sweden who are keen to see the momentum maintained.

In my view the balance of advantage lies in holding the conference in Spring 1987. A date in April or early May, preceded by a meeting of senior officials in March, should provide sufficient time for preparatory technical work and would keep clear of the German Federal elections in February 1987. It would also fit appropriately with the joint meeting of Oslo and Paris Commissions in June 1987 which is also to be held in this country.

As to location, London has obvious advantages in terms of convenience and security, and the new International Conference Centre would be an attractive venue for the Ministerial gathering.

Environmental Affairs: North Sea Conference 10/84

We shall need, as we did at Bremen, to base ourselves firmly on a scientific view of the requirements of the proper management of the North Sea, and to continue to resist pressure from some of our partners for extreme solutions - in particular on the subjects of sea dumping and of 'special area status' for the North Sea under the MARPOL agreement. I look forward to the same close inter-departmental collaboration in the preparatory work which served us so well at Bremen; and my officials are already in informal touch with their colleagues in the other Departments concerned.

If you and the other recipients of this letter are content with the proposals on timing and location outlined here I will write to my opposite numbers in the other North Sea states to let them know how we intend to proceed (with a separate letter to Mr Zimmermann, in view of my earlier exchange with him).

I am copying this letter to the Prime Minister, to other members of the Cabinet and to Sir Robert Armstrong.

Yours ever

Patrick

PATRICK JENKIN

The Rt Hon Sir Geoffrey Howe QC MP

Fa Ho

10 DOWNING STREET

From the Private Secretary

12 November 1984

The Prime Minister was grateful for, and has noted, your Secretary of State's minute of 8 November reporting the outcome of the North Sea Conference.

DAVID BARCLAY

Andrew Allberry, Esq.,
Department of the Environment.

Ho

GR: AA(DOE)

The PM was grateful for and has noted your Sec of S's minute of 8 November reporting the outcome of the North Sea Conference."

PRIME MINISTER

Prime Minister (4)

To note.

NORTH SEA CONFERENCE

William Waldegrave and Michael Ancram represented us at the Conference in Bremen. (The background is described in my minute of 31 October). It went rather well for the United Kingdom.

The formal outcome was a joint declaration, signed by all the Ministers present. It covers future co-operative action in reducing pollution of the North Sea from (a) estuaries, rivers and coastal discharges, (b) the atmosphere, (c) ships, and (d) oil platforms and calls for increased research and monitoring. Action on most of these points was either in progress or in prospect anyway; much is being undertaken within the International Maritime Organisation, and under the Oslo and Paris Commission, which regulate the control of pollution in the North East Atlantic as well as in individual countries. In our own case the implementation of Part II of the Control of Pollution Act 1974 is significant. Nevertheless the Conference will place increased political emphasis on these activities as will the decision to hold a further Conference here in 1986 or 1987, and this is likely to lead to some intensification of effort.

The two main controversial issues - whether the North Sea should have "special area status" under the MARPOL convention governing discharges of oil from ships, and whether dumping at sea should be stopped - were settled on terms acceptable to us and without dishonour for the Germans. On the first of these, the Conference agreed to defer until the next Conference the issue of "special area status"; during this period the effectiveness of this very recent convention will itself be evaluated and arrangements for policing it will be improved - we laid particular stress on the importance of this. Secondly, the move to stop sea dumping of industrial wastes and sewage sludge failed on a

combination of Danish refusal to compromise and French insistence on unanimity, and without any difficulty for us.

These two issues will necessarily have a prominent place at our own North Sea Conference in two or three years' time, when we shall no doubt once again be under pressure on them. But the outcome of Bremen represents a considerable success for our efforts to base the discussion on current scientific knowledge, and I am confident that this approach will continue to serve us well.

I am sending copies of this minute to members of the Cabinet and to Sir Robert Armstrong.

PJ

P J
8 November 1984

Ew. Affairs: North Sea Conference 10/54

File

DSG

1 November 1984

NORTH SEA CONFERENCE

The Prime Minister has now seen your Secretary of State's minute of 31 October about the line which the United Kingdom is taking at the North Sea Conference. She is content with this, subject to any comments from colleagues.

David Barclay

John Ballard, Esq.,
Department of the Environment.

010

W.0787

31 October 1984

PRIME MINISTER

NORTH SEA CONFERENCE

The Secretary of State for the Environment has minuted you on the United Kingdom's stance at the North Sea Conference which begins today in Bremen.

2. I agree with the Secretary of State that the UK has participated constructively in the preparations for this Conference. The papers prepared by the UK are of a high scientific standard.

3. There is no doubt that the UK's position will come under attack from other States, particularly the Federal Republic of Germany, for domestic political reasons. However, I support the Secretary of State's analysis of the issues and his proposals for the UK's stance. This is firmly based on the scientific evidence and consistently applies the principle of 'best practicable environmental option' which has been stressed in Reports of the Royal Commission on Environmental Pollution and which is accepted as Government policy.

ROBIN B NICHOLSON
Chief Scientific Adviser

010

(2)

1) Mr Powell CDP
2) Prime Minister
To note.
31/10

Prime Minister

NORTH SEA CONFERENCE: 31 OCTOBER - 1 NOVEMBER

William Waldegrave and Michael Ancram are to represent the United Kingdom at this Conference in Bremen. It has been called by the German Government in response to internal 'Green' pressure for protection of the Wadden Sea, which is an area of particular environmental sensitivity along the Dutch and German coast. All Coastal states and the European Community have been invited to participate. A range of other national Governments and Non-Governmental Organisations will attend as observers.

The United Kingdom has participated constructively throughout the preparatory official meetings, but we have insisted firmly that decisions can only be taken on a sound scientific basis. An agreed 'Quality Status' paper has now been produced by an international Working Group, which confirms our original view from our own monitoring programmes that there is no serious general problem of pollution in the North Sea, but that there are a number of problem areas near coasts and estuaries particularly on the continental coastline.

The German Government will press for international agreement to a number of measures likely to impress their Green party, particularly

a. a ban on sea-dumping as a waste disposal option; and

b. Special Area Status for the North Sea (which would impose very tight discharge controls on shipping).

We must resist both proposals because they are aimed at the wrong targets. The Quality Status paper shows that sea dumping is a relatively minor source of contaminants to the North Sea, and a general ban would create fresh environmental problems

as we sought to dispose of wastes to land, and would be costly to the UK industry and to our water industry.

As to the question of discharges from shipping, the real problem is illegal discharges, and what is needed is better policing of the existing regulations, on which we will have some positive suggestions to offer at the Conference. Nevertheless, we are likely to be in a minority on the sea-dumping issue, and the FRG will press hard for 'special area' status. I am convinced that we must maintain our robust line.

Furthermore, we have a good and positive story of our own to tell. As the country with the longest North Sea coastline, we have a genuine interest in keeping it in a healthy state for the range of commercial, industrial, recreational and environmental interests which it supports. We can point to our achievements in improving the state of the Thames, the Tyne and the Firth of Forth, the careful controls that we exercise over sea-dumping, and the increased powers to control discharges to estuarial and coastal waters that will come into force with the implementation of Part II of the Control of Pollution Act.

At the Conference, we can readily agree to participate in the improved arrangements for monitoring, cooperation in the event of oil spills, and a range of similar measures, provided that they are necessary and cost-effective. We have already announced our intention to offer to hold a second North Sea Conference at a later date, which is a positive step.

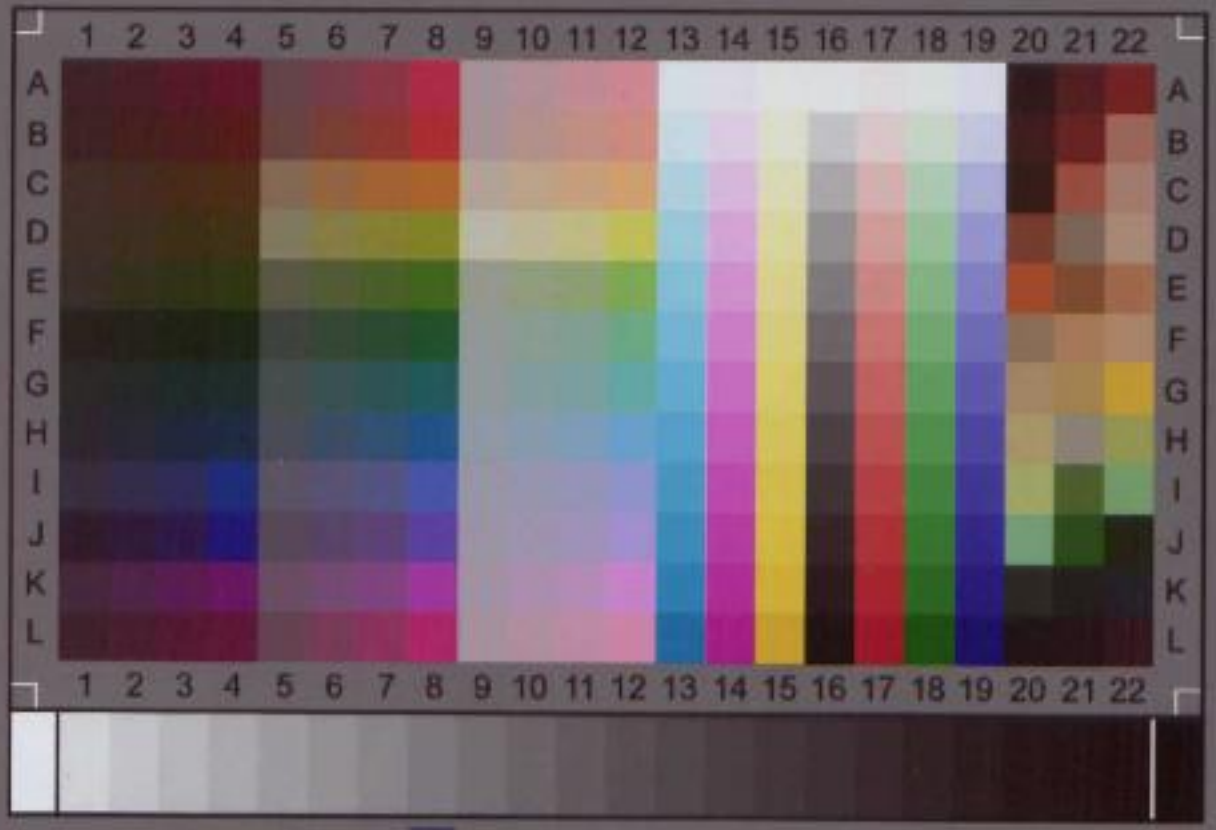
I believe that this Conference offers an opportunity to speak up on the international stage for our science-based approach

to environmental protection, to draw attention to our own success (particularly in improving the state of our rivers), and to challenge our colleagues from other coast states to tell us what steps they intend to take in order to control their own pollution sources.

I am copying this minute to members of the Cabinet.

P J 31 October 1984

Approved by the Secretary of State & signed in his absence.



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