JM

Confidential filing

Drafting and Circulation of Cabinet Papers

CABINET

May 1979

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| Referred to | Date | Referred to | Date | Referred to | Date | Referred to | Date |
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| ~~9.11.93.~~ 29/11/93 ~~14.12.93~~ ~~13.3.94~~ ~~25/3/94~~ 11/4/94 | | | | | | | |

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**TO BE RETAINED AS TOP ENCLOSURE**

# Cabinet / Cabinet Committee Documents

| Reference | Date |
|---|---|
| CC(79) Minute 8 | 26/07/1979 |
| OD(E) (81) 5 | 13/02/1981 |
| C(P)(81) 1 | 23/09/1981 |
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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 _____ Date 11/4/19

OPD(E) papers v. good. But concern is abt Nats.

FROM: **BRIAN BENDER**
DATE: **1 March 1995**

**MR MACKENZIE**

cc: Mr Allan
Ms Leech
Mr Lever
Mr Jeffrey

**LENGTH OF CABINET COMMITTEE PAPERS**

1. Your minute of 28 February.

2. I am of course ready to discuss this issue in Dep Secs tomorrow, but thought it right to set out my stall on the current round of OPD(E) papers beforehand.

3. OPD(E) is tasked to look at each aspect of the 1996 IGC agenda, and report back to OPD after Easter. The number of areas that needs to be covered is substantial:

- Commission accountability
- Presidency system
- European Council
- Arrangements for QMV
- Scope of QMV
- Number of Commissioners
- Commission management and efficiency
- Subsidiarity and deregulation
- European Parliament
- National Parliaments
- Common Foreign and Security Policy
- Justice and Home Affairs
[- Defence]
- European Court of Justice
- Repatriation of Competences
- Transparency and Openness
- Miscellaneous other UK ideas
- Link with policy reform necessary for enlargement

For <u>each</u> area, OPD(E) has been invited to consider (a) what positive UK ideas might be pursued and (b) what our sticking points should be.

4. The Foreign Secretary, as chairman of OPD(E), has been consulted carefully about the presentation and content of the papers to serve as a basis for discussion (and, indeed, No 10 have seen advance copies of the material distributed so far). He is content that the present approach, of a single paper for each meeting containing a few paragraphs on each item in a covering note, with detailed options on each in an annex, is a satisfactory way of arranging discussion (and the workmanlike nature of the 2 meetings so far bears this out; indeed, it is clear from the discussions that Ministers have been reading the papers, including the annexes, carefully). Of course, it would be possible to meet the guidelines by producing separate papers on each item, but Ministers would not thank us if they had to juggle up to half a dozen such papers for a single meeting.

5. Against this background - and the potentially delicate nature of Ministerial discussions on Europe - I would oppose any pressure to alter the present way of handling the current round of OPD(E) discussions.

B G BENDER

PO4937

FROM: KENNETH MACKENZIE
DATE: 28 February 1995

cc: Ms Leech
Mr Allan
Mr Jeffrey

**MR LEVER**
**MR BENDER**

**LENGTH OF CABINET COMMITTEE PAPERS**

1. This minute is to warn you of an item I propose to mention at the Dep Secs meeting on Thursday 2 March.

2. Alex Allan rightly drew my attention to an EDE paper for today's meeting which is some eight-and-a-half pages long, containing 25 paragraphs and covering a further 29 paragraph note by officials. He wanted to know how we had let this through.

3. I understand that, while this is a rather extreme example, it is not unique and our ability to enforce the rules is immediately compromised as soon as we permit any exception. Even were we to be totally inflexible within any one Secretariat, there is a danger that someone else might be prevailed upon - perhaps even by No 10? - to make an exception and the pass is sold for everybody. As it happens, the next paper which appeared in my in-tray was OPD(E)(95)(5), covering a seven page note by officials extending to 16 paragraphs with seventeen-and-a-half pages of Annexes. In saying that I am in no way being critical of the European Secretariat since it will be clear from the above that we here are in no position to do so.

4. The rules would appear to be clear enough from paras 4.2-4.3 of the Handbook for Cabinet Documents Officers (attached). There is also an injunction to brevity in para 10 of Questions of Procedure for Ministers. With modern technology, the scope for varying spacing and type faces makes the number of pages a

less firm guide. Nor are today's typists conversant with the terms pica and elite. I was therefore not surprised to see that in the booklet "Cabinet Committee Business - A Guide for Departments" which has just arrived hot off the press, the guidance on pages 6 and 7 is in terms of papers being "no more than 700 words" and "single spacing should be used for type faces of 12 point size or larger". It adds that "additional material should be set out in Annexes" and that presumably is the key to any enforcement policy on the length of papers.

5. The booklet has been designed to be consistent with the lengthier sources of formal guidance. So, it does not represent new policy. It is about to be issued with a covering note from Sir Robin Butler. This would appear to present a good opportunity to draw attention to this problem - which I have no doubt has been well examined here over the years - if we intend seriously from now on to enforce the guidance we are just about to issue. There may, however, be particular problems about that in some subject areas and I therefore thought it might be useful to raise it at Thursday's meeting.

**K J MACKENZIE**

**Form of Memoranda**

4.2 Memoranda should be as clear and as brief as possible. Time spent in making a memorandum short and clear will be saved many times over in reading and discussion. Memoranda for the Cabinet and Ministerial Committees of the Cabinet should be no longer than can be contained in two pages (excluding annexes) of the standard (A4) paper. For practical purposes this means a target during preparation of no more than 700 words.

4.3 The model memorandum explains at the outset what the problem is, indicates briefly the relevant considerations, and concludes with a precise statement of the decisions sought. It is sometimes useful to include a summary of the main points brought out in the body of the memorandum, but such a summary should never exceed a few lines. Prefatory covering notes should be avoided.

CEPS

**CABINET OFFICE**
**70 Whitehall London SW1A 2AS**

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*Economic and Domestic Affairs*
*and Legislation Secretariat*

KO1051

1. Mary 2. Mark
3. file.

Alex Allan Esq
10 Downing Street
London SW1A 2AA

11 April 1994

Dear Alex

**CIRCULATION OF PAPERS FOR THE PRIME MINISTER**

Thank you very much for your letter of 24 March.

We fully appreciate your wish to keep open the possibility of the Prime Minister wishing to write direct to Departments in the circumstances you describe. In such cases the Committee correspondence would then effectively be closed and the Lord Privy Seal would not issue the normal round up letter.

On a point of detail, the letter from the Department of Health you referred to was in fact picked up under our new procedures and DH were told to copy the letter to the Prime Minister and others who had been omitted from the original copy list. I enclose the relevant letter from the Lord Privy Seal's office. So this can be regarded as a plus rather than a minus mark for the new procedures though we shall of course remain vigilant!

I am copying this letter to Rachel Lomax, Joan Bailey and Jenny Harper.

Yours

Richard

**R BIRD**

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

LPS/1085/94

7 March 1994

8229

Dear Una

**REFORM OF THE GENERAL DENTAL SERVICES : PROPOSED GREEN PAPER**

Your Minister wrote to the Lord President on 2 March.

You will wish to ensure in due course that all members of EDH and EDI(P) Committees are content, or have commented. When you have done so you should inform the EDH Secretariat who will then prepare advice for the Lord Privy Seal. As you know the approval of the Committee cannot be assumed until the Lord Privy Seal has written to convey it.

Your Minister's letter should also have been copied to the Prime Minister, the Attorney General and the Lord Advocate, and to members of EDI(P) Committee. I should be grateful if you could arrange for this to be done, and if other recipients of this letter could note the need to include them in the copy lists for further correspondence on this subject.

Those to whom this letter is copied will wish to note that if their Ministers wish to respond they should do so within ten working days of the date of the original letter.

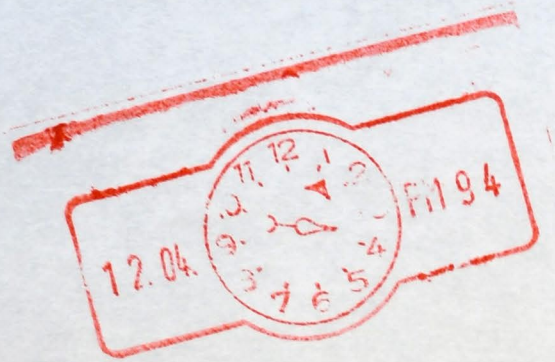
I am sending a copy of this letter to the Private Secretaries of the Prime Minister, members of EDH and EDI(P), the Attorney-General and the Lord Advocate, and to Melanie Leech (Sir Robin Butler's office).

Yours

Gillian

GILLIAN MCGREGOR (Mrs)
Asst Private Secretary

Ms Una O'Brien
PS/ Dr Brian Mawhinney MP


12.04.
Fri 94

FILE AS

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

25 March 1994

Dear Mark.

**PRIME MINISTER'S BOX ARRANGEMENTS OVER EASTER**

It may be helpful to you and other Private Secretary colleagues to know the arrangements we will be making for the Prime Minister's box over the Easter Parliamentary recess.

Any material intended for the Prime Minister's box before Easter should reach us by 1300 Wednesday 30 March. After that time, only urgent material will be passed to the Prime Minister until Monday 11 April.

I am copying this letter to Private Secretaries to other members of Cabinet.

Yours
Mark

**MARK ADAMS**

Mark Ormerod, Esq.,
Lord Chancellor's Office.

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

24 March 1994

Dear Richard

**CIRCULATION OF PAPERS FOR THE PRIME MINISTER**

I have seen your letter of 1 March to Mark Adams about circulation of papers for the Prime Minister.

As you say, in most cases the arrangements for circulating Cabinet Committee correspondence to the Prime Minister are working well - though I attach a recent example of one that, frustratingly, slipped through the net. This is a letter from Department of Health on the reform of the general dental service (confusingly sent to the Lord President not the Lord Privy Seal); it was not copied to Number 10, and the Cabinet Office do not seem to have spotted this.

I note what you say in your letter about whether the Prime Minister's responses should be sent directly to the Minister concerned or via the Lord Privy Seal. We would want to retain some flexibility on this. In some cases the Prime Minister may want to write directly and early to departments to head off misunderstandings and possibly to close off further work on options he does not feel should be taken any further. But we will watch to make sure we do not do this except where necessary.

I am copying this letter to Rachel Lomax, Joan Bailey and Jenny Harper.

Yours

ALEX ALLAN

Richard Bird Esq.
Cabinet Office

CH.

cc Mary Francis
Mark Adams
Sarah Hogg
Nick True

**DRAFT MINUTE TO RICHARD BIRD**

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→ Alex
I discussed with Nick; his note has my suggested deletions.
Sarah

Any comments?

pps\ctee.aa

22/3

Alex

I have discussed this with Saral - and we would [illegible] the following cuts - the first is, I think, the more important. Saral feels that we should not volunteer to quit any ground where there is an implication that the PM's voice is equivalent to that of the Ministers.

cc Mary Francis
Mark Adams
Saral Hogg
Nick True

**DRAFT MINUTE TO RICHARD BIRD**

Drue 22/3

I have seen a copy of your letter of 1 March to Mark Adams about circulation of papers for the Prime Minister.

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Any comments?

Alex Allan

22/3

pps\ctee.aa

cc Mary Francis
Mark Adams
Sarah Hogg
Nick True

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| x

| y

Alex,
x and y do not look consistent to me. x suggests rare cases when we might want to minute direct, which I agree with. y suggests more regular direct minuting - after all we would expect the Prime Minister's comments to be taken as final unless we specify it is subject to the views of others. The element of doubt creeps in as well with a flexible system - Depts are not sure

pps\ctee.aa

Any comments?

Alex Allan

22/3

(PTO)

whether they have the policy approval or not when a letter comes direct to them from No 10. If we delegate to Lord Wakeham responsibility for giving policy clearance, we either need to take it back explicitly from him on a specific issue, or channel our views - final or not - through him. To cover the occasions where we do minute direct, someone (probably perhaps in the letter from here?) needs to make it clear whether policy approval is being given or not.

23/3

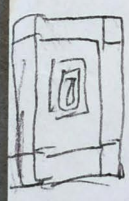
Alex
Fine: Mary

cc ~~Mary Francis~~
Mark Adams
Sarah Hogg
Nick True

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Any comments?

Alex Allan

22/3

pps\ctee.aa

From: Jill Rutter
Date: 15 March 1994

MR ALLAN

cc: Mrs Hogg
Mrs Francis

**REFORM OF THE GENERAL DENTAL SERVICES**

I think I am supposed to alert you when No 10 is cut off the copy list for Committee circulation.

On 2 March Dr Mawhinney, the Minister of Health, wrote to the Lord President (rather obscurely since he should have written to the Lord Privy Seal) on "reform of the general dental services". As you can see from the letter attached, we were not on the copy list, and therefore have not seen subsequent Committee correspondence.

You may like to draw this to the attention of the private office and to the Cabinet Office, who again failed to act as an adequate backstop. I have arranged for Department of Health to send me the correspondence.

We only received a copy of Dr Mawhinney's letter after I requested it from Department of Health.

JILL RUTTER

15-3-3.jr

CEPU

315/3
JR

Richmond House 79 Whitehall London SW1A 2NS Telephone 071 210 3000
*From the Minister for Health*

Policy In Confidence

The Rt Hon Antony Newton OBE MP
Lord President of the Council
Privy Council Office
68 Whitehall
LONDON SW1A 2AT

2/3/94

Dear Tony,

**Reform of the General Dental Services**

I enclose a copy of a late draft of our proposed Green Paper on NHS dentistry. Treasury Ministers are content with these proposals. There remain some points to resolve with the other health Ministers but I am hopeful that can be done soon. Meanwhile I should be grateful for colleagues' views on our proposals.

This document is a response to the Fundamental Review of the Dental Remuneration System, carried out by Sir Kenneth Bloomfield. We published his report in January 1993 and conducted extensive consultation on it. There is no consensus about solutions amongst the profession. Against this background it has not been easy to identify proposals which will command ready support.

Our aim has been to develop a system which allows better financial control and allows rational decisions about spending on dentistry to be taken. Change is needed because the current system fails in each of these respects. The major overpayment problems of 1992, (an overpayment of £200 million) which led us to the review, show that.

We have developed proposals which would meet the objectives of the review. These are set out in the enclosed document. In short, our long-term aim is to move to a locally commissioned approach ( the "purchaser/provider" system ) similar to that which operates in the secondary and community services of the wider NHS. Meanwhile we intend to introduce reform which will pay dentists for the time they spend treating NHS patients. As a short-term measure a much revised fee-based option is included.

I would be grateful for any views colleagues wish to express on these proposals as soon as it is convenient.

I am sending a copy of this letter to all members of ED(H) and to Sir Robin Butler.

Warm regards,

Brian

DR BRIAN MAWHINNEY

cc: Mr Hogford PS/SoS Mr Thompson PI
Mr Marsh Sp Ad
Ms Roughton PS/PS
Mr Heppell HSSG
Mr Jeremiah P
Mr Sainton F2
Mr Movatt DEN
Mr Middleton F2
Mr Audrey DEN
Mr Ahearn PID

1. Alex
2. Mark ?

I agree with Nick. MF.

CONFIDENTIAL

MRS FRANCIS → Alex O/r

From: Nicholas True
Date: 11 March 1994

**RESPONSE TO PAPERS BY PRIME MINISTER**

I have seen the note from Joan Bailey to you setting out possible procedures on the handling of comments by the Prime Minister on inter-ministerial correspondence. I understand that you were to discuss this with Rachel Lomax on 4 March.

As I read the correspondence it carried the possible implication that comments from No 10 should not be sent directly to Departments, but should be forwarded through Cabinet Office to be circulated with Lord Wakeham's response summarising Ministerial comments.

In many cases, informally as well as formally, the Prime Minister's comments and views are relayed in this way, either on paper, or through the medium of the business meeting. But, unless clarified, the doctrine implied in the Cabinet Office note suggested a potential constriction of the Prime Minister's prerogative to manage and guide government. There may well be circumstances in which the Prime Minister could see distinct advantage in No 10 writing directly and early to Departments to make his views known - to head off misunderstandings, to inject additional considerations into the minds of Ministers and, at the most extreme, to seek to foreclose the unacceptable.

Both Sarah Hogg and I felt that this correspondence raised very important issues which, no doubt, it would be of advantage for Sarah and Alex to discuss and, on the basis of an agreed line, then to discuss with Cabinet Office.

NICHOLAS TRUE

028.NT

→ File

**CABINET OFFICE**
**70 Whitehall London SW1A 2AS**

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*Economic and Domestic Affairs*
*and Legislation Secretariat*

KO980

Mark Adams Esq
10 Downing Street
London SW1

1 March 1994

Dear Mark

**CIRCULATION OF PAPERS FOR THE PRIME MINISTER**

We corresponded at the end of last year about No 10's involvement in Cabinet Committee correspondence. My letter of 14 December set out the agreed way forward.

The impression we get in the Cabinet Office is that the new arrangements are in general operating smoothly. In particular the vast majority of Committee correspondence is now being copied to the Prime Minister. You are also helpfully alerting us in cases where the Prime Minister is likely to want to comment.

The only problem area is that in several cases No 10 have sent a letter with the Prime Minister's views direct to the private secretary of the Secretary of State initiating the correspondence rather than to Joan Bailey in the Lord Privy Seal's office. This can cause confusion - in at least one case the Department concerned wrongly assumed that the No 10 letter overrode the need to establish whether other Ministers had any comments or to wait for a letter from the Lord Privy Seal summarising the responses from other Government Departments. A recent example of a letter going straight to the Department concerned is attached.

If you or Mary Francis would like to discuss this further we could do so at Rachel Lomax's next weekly meeting with Mary on Friday 4 March.

I am copying this to Rachel Lomax, Mary Francis, Joan Bailey and Jenny Harper.

Yours

R BIRD

CONFIDENTIAL

CABINET OFFICE
A 3196

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

25 February 1994

Dear Robert,

C McBird

**REVIEW OF THE HEALTH EDUCATION AUTHORITY**

The Prime Minister has seen your Secretary of State's letter to the Lord Privy Seal of 14 February, the Chief Secretary's letter of 21 February and the subsequent correspondence.

The Prime Minister notes that the Review finds some fundamental problems in the current arrangements for the HEA. It also suggests that the performance of the HEA has fallen short of expectations. In the light of this, he has some sympathy with the Chief Secretary's view that a more searching look is needed at the best ways of delivering the health promotion necessary to deliver the targets set out in the Health of the Nation.

The Prime Minister is concerned that the Review team appear to have taken the need for a body like the HEA as a given, and did not look radically at alternative options and assessed their merits and demerits. The Review team do not appear to have drawn on successes and failures in other countries. The Prime Minister is also concerned that the new arrangements should fit both with the new structure for the NHS agreed last year and with whatever emerges from the current review of the functions and manpower in the Department of Health.

The Prime Minister therefore believes that there is a case for the further discussions between officials suggested by the Chief Secretary, and that Ministers might discuss the proposals in EDH(H).

I am copying this letter to Joan Bailey (Lord Privy Seal's Office), to the Private Secretaries of other members of EDH, and to Melanie Leech (Cabinet Office).

Yours, Mary.

**MRS. MARY FRANCIS**

Robert Creighton, Esq.,
Department of Health.

[N. Korea.
Actions]
RM/L.
19/1

RM. I'll need a P.Q. line – it might be the position at the briefing] comes off in the Press.

10 DOWNING STREET

Prime Minister

I was not previously aware that Defence Intelligence gave this sort of briefing to MPs.

If Winston Churchill buttonholes you, you could say:

– JIC and intelligence machine keeping an eye on this; reporting to you & other Cabinet Ministers.

– We keep in touch with the Americans

– We also keep this in view at the UN Security Council and IAEA.

i.e. no complacency.

Last JIC report (2 Dec.) attached.

Robin.

FILE PPS/BUTLER-ICK

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

**SIR ROBIN BUTLER**

---

**SECURE PROCEDURE FOR SENSITIVE COMMITTEE CORRESPONDENCE**

The Prime Minister was grateful for your minute of 17 January. He thinks the arrangements you propose are a sensible extension of the procedures for handling sensitive documents, and is content for your office to circulate the note attached to your minute.

ALEX ALLAN

18 January 1994

Prime Minister
This is a sensible innovation, to introduce procedure for CMO minutes (to go with existing procedure for CMO Committee papers)
content ?
AR

Ref: AO94/138

PRIME MINISTER

Secure Procedure for Sensitive Committee Correspondence

We already have a special procedure for handling particularly sensitive Cabinet Committee memoranda. This has worked very well in for example ensuring that EDX paper are tightly controlled.

2. Some highly sensitive Cabinet and Cabinet Committee business is also handled by correspondence alone. The restricted circulated procedure should I think now be extended to cover correspondence items as well. These arrangements might for example have been useful to the Home Secretary in consulting colleagues about criminal justice proposals before the last Party Conference.

3. Providing you see no difficulties, my office will send round a note setting up the new arrangements outlined in the short note --- attached to this minute.

Melanie Leech
for ROBIN BUTLER
(approved by Sir Robin and signed in his absence)

17 January 1994

ANNEX

## CMO PROCEDURE FOR CABINET COMMITTEE CORRESPONDENCE

1. All letters seeking policy approval from a Cabinet Committee in correspondence should be addressed to the Chairman of the relevant Committee and copied to the Prime Minister (if he is not the Chairman), to members of the Committee and other Ministers who have an interest, and to the Cabinet Secretary. On rare occasions it will be appropriate, for issues which are exceptionally sensitive but which nevertheless do not require discussion in a Committee, to use the Circulation Members Only (CMO) procedure for clearance in correspondence described below (the procedure should only be used in cases where, had the matter been discussed in Committee, the memorandum would have been circulated on a CMO basis).

2. Departments originating CMO correspondence should seek the agreement of the relevant Cabinet Secretariat in advance. They should then send the originating letter and the appropriate number of copies to Cabinet Office Committee Section for dispatch.

3. Comments on the originating letter should be sent directly to the Chairman of the relevant Committee and copied to the copy addressees of the original letter.

4. Both the originating letter and comments on it should conform to the following rules.

a. Letters to be clearly marked with "CMO until [date]" at the top and bottom of each page.

b. Diagonal security classification markings to be used.

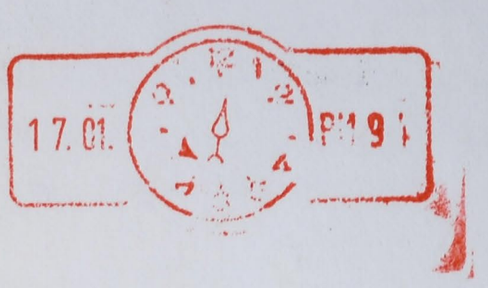
c. Circulation in double envelopes, with inner envelope clearly marked CMO, and the outer envelope carrying an instruction that it is to be opened personally by the addressee.

d. CMO letters not to be copied or faxed. The letter should contain the following paragraph in bold type near the beginning:

**NO FURTHER COPIES SHOULD BE MADE of this letter, and it should be made available ONLY to other Ministers and officials with a STRICT NEED TO KNOW of its contents.**

e. Ministers receiving CMO letters (or Principal Private Secretaries acting on their behalf) to be personally responsible for safe custody, for giving authority for them to be taken outside the private office or to be shown to anyone else, and for maintaining a record of all who have seen them.

f. CMO letters to be placed on departmental files only after the expiry date.


17.01.
PM 9

1/ Mary - here it is!
2/ File

**CABINET OFFICE**
**70 Whitehall London SW1A 2AS**

Tel: 071 270 0189

Fax: 071 270 0113

*Economic and Domestic Affairs*
*and Legislation Secretariat*

KO879

Mark Adams Esq
No 10 Downing Street
London SW1A 2AA

14 December 1993

Dear Mark

**CIRCULATION OF PAPERS FOR THE PRIME MINISTER**

Thank you for sending me a copy of your letter of 26 November to Joan MacNaughton. I have discussed this with other colleagues in the Secretariat.

These developments coincide with new arrangements being introduced by Lord Privy Seal's Office to improve the handling of policy clearance by correspondence. From now on when a Minister writes seeking policy clearance his/her private office will be sent a letter reminding them of the need to do a ring-round and inviting copy addressees who wish to comment to do so within two weeks (a variant of this letter will be sent where comments have been requested within a shorter time scale). This will also be an opportunity to instruct Departments to copy correspondence to the Prime Minister where they have not done so.

The Lord Privy Seal's office will send a copy of each acknowledgement letter to No 10 which will make clear to you and to the Policy Unit the closing date for any input from the Prime Minister. If we have not received a response from you by that date we shall take it that the Prime Minister does not wish to comment unless you have telephoned the Secretariat to say the Prime Minister is likely to comment if it is not possible for a letter from No 10 to be sent to the Lord Privy Seal's office before the deadline. We shall also look out for cases where you have not responded, but where we would expect you to comment, to try to ensure the Prime Minister's comments are not overlooked inadvertently although we cannot guarantee to spot every such case.

I am copying this to Joan Bailey and Jenny Harper.

Yours

**R BIRD**

SECRETARY OF STATE

MINISTRY OF DEFENCE
WHITEHALL LONDON SW1A 2HB
Telephone 071-21 82111/2/3

Dear Roderic

Thanks for your letter about the quality of some (I hope a few) of the drafts you get from us.

This is a fair cop. Our problem here is that (a) much of our material is technical and (b) not all of our people are – by instinct or training – accomplished wordsmiths. That means that we in the Private Office spend much of our time throwing things back, and eventually re-writing them. But some infelicities creep through. We shall be even more zealous in future, and I have asked Chris Prance to send a reminder round the Department.

Yours

Recycled Paper

14.10. PM 9 3

FILE MRM

bcc: Jill Rutter

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

29 November 1993

Dear Jill

**CABINET COMMITTEE CORRESPONDENCE**

Can I draw your attention to the standard Cabinet Office guidance that "all Committee correspondence should, as a matter of course, be ... copied ... to the Prime Minister for information" (from Melanie Leech's letter to Jenny Rowe of 28 January). Your Minister's letter to the Lord Privy Seal of 23 November on "Private Members Handout Bill: Replacement of Dog Fouling By-Laws" was circulated to members of EDH but not copied here - with the inevitable consequence that none of the follow-up correspondence was copied here either. I should be grateful if you could make sure that everyone in your office is aware of this guidance.

I am copying this letter to Melanie Leech in the Cabinet Office.

Yours

Alex

**ALEX ALLAN**

Miss Jill Wordley,
Ministry of Agriculture, Fisheries
and Food

COPY

MAFF

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

From the Minister

The Rt Hon The Lord Wakeham
Lord Privy Seal
Privy Council Office
Whitehall
LONDON
SW1A 2AT

25 November 1993

cc Alex

Another one we missed!

Dear John,

**PRIVATE MEMBERS HANDOUT BILL: REPLACE OF DOG FOULING BY-LAWS**

Jean Denton's letter to you of 23 November sought urgent policy approval to replace dog fouling by-laws with a national provision making it an offence not to clear up after dogs in most public places.

I have seen Allan Stewart's letter of 24 November and fully agree with his comments. I would add that I think it will be very hard to present this as a serious piece of legislation. It is easy to imagine the kind of headlines about unnecessary regulation that this would attract. Given that the Government has many other worthwhile items for Private Members Handout Bills (including the ones I have myself sponsored!) I do not think we should be pursuing this issue now.

I am copying this letter to EDH colleagues and Sir Robin Butler.

GR
Please could I have a copy of my

**GILLIAN SHEPHARD**

h l papers. nfj

cc LNR

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

26 November 1993

**CIRCULATION OF PAPERS TO THE PRIME MINISTER**

Rod Lyne wrote to you on 16 November concerning a letter about the Immigration Order 1993, which had been faxed to this office with a request for immediate comments. I thought I would follow up the letter with a more general point about the circulation of papers to the Prime Minister.

We do find on a number of occasions that we are chased for the Prime Minister's comments on papers which have been circulated to members of EDH. The Prime Minister is of course not a member of EDH. Although all papers circulated to members of EDH should be copied to the Prime Minister (see Melanie Leech's letter of 16 July), it is not necessary to chase this office for a reply.

Lord Wakeham as Chairman of the Committee would normally be responsible for considering the Home Secretary's letters and any subsequent replies, before deciding whether to grant policy approval. In many cases, this process will not involve the Prime Minister. If appropriate, we will arrange to feed in the Prime Minister's comments to Lord Wakeham.

I am copying this letter to Richard Bird (Cabinet Office).

**MARK ADAMS**

Miss Joan MacNaughton
Home Office

COPY NIA

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

16 November 1993

**IMMIGRATION ORDER 1993**

I received, fairly late this evening, the enclosed fax from your office. I tried to seek elucidation from one of your Private Secretaries, but none were there.

It is not clear to me what I am supposed to do with the document. I see that the Home Secretary sent it out on 24 September and requested comments by 8 October.

If, despite your deadline having passed some five weeks ago, you want a view from the Prime Minister, I would be grateful if you could send us something in a form which we can appropriately put before him - showing clearly the points at issue and the positions taken by others consulted. Ideally, the advice would be presented in a way which allowed the Prime Minister to deal with the matter in short order.

I am sending a copy of this letter to Geoffrey Fitchew in the Cabinet Office.

**RODERIC LYNE**

Miss Joan MacNaughton
Home Office

Rod cc ~~PUS~~

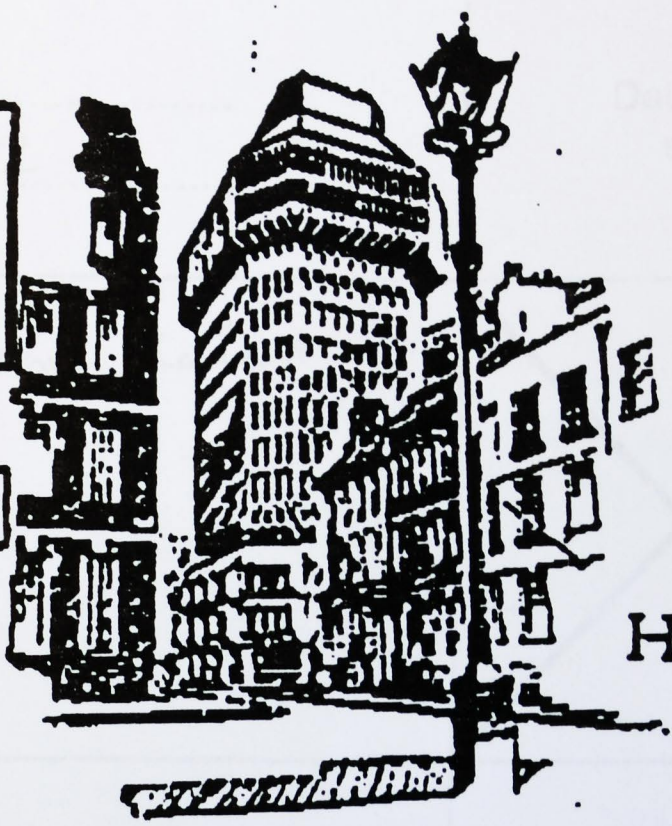
**FROM:**

LEE PHILPOTT
Home Secretary's Office
50 Queen Anne's Gate
LONDON SW1H 9AT

Fax No: 071-273-3696

FACSIMILE TRANSMISSION MESSAGE

URGENT ☐ NON URGENT ☑



Home Office

TO: Duty clerk

ATTN:
FAX NO:

DATE: 16/11/93 TIME:

NO OF PAGES
(incl cover sheet)

MESSAGE:

Sorry this has not reached you before now.

But could we please have your comments (if any) Urgently

If the fax is not clearly received, or incorrect number of pages sent, please telephone MR ~~PHILPOTT~~ L PHILPOTT on 071-273-2836

The National Archives

| DEPARTMENT/SERIES PREM 19<br>PIECE/ITEM 5149/2<br>(one piece/item number) | Date and sign |
|---|---|
| Extract details:<br>Letter from Howard to Wakeham dated 24 September 1993 | |
| CLOSED UNDER FOI EXEMPTION ..... | |
| RETAINED UNDER SECTION 3(4)<br>OF THE PUBLIC RECORDS ACT 1958 | |
| TEMPORARILY RETAINED | 11/4/19 |
| MISSING AT TRANSFER | |
| NUMBER NOT USED | |
| MISSING (TNA USE ONLY) | |
| DOCUMENT PUT IN PLACE (TNA USE ONLY) | |

## *Instructions for completion of Dummy Card*

Use black or blue pen to complete form.

Use the card for one piece or for each extract removed from a different place within a piece.

Enter the department and series,
eg. HO 405, J 82.

Enter the piece and item references, .
eg. 28, 1079, 84/1, 107/3

Enter extract details if it is an extract rather than a whole piece.
This should be an indication of what the extract is,
eg. Folio 28, Indictment 840079, E107, Letter dated 22/11/1995.
Do not enter details of why the extract is sensitive.

If closed under the FOI Act, enter the FOI exemption numbers applying to the closure, eg. 27(1), 40(2).

Sign and date next to the reason why the record is not available to the public ie. Closed under FOI exemption; Retained under section 3(4) of the Public Records Act 1958; Temporarily retained; Missing at transfer or Number not used.

10 DOWNING STREET
LONDON SW1A 2AA

From the Principal Private Secretary

10 November 1993

Dear Alan

**CABINET COMMITTEE CORRESPONDENCE**

Can I draw your attention to the standard Cabinet Office guidance that "all Committee correspondence should, as a matter of course, be ... copied ... to the Prime Minister for information" (from Melanie Leech's letter to Jenny Rowe of 28 January). Your Secretary of State's letter to the President of the Board of Trade of 21 October on "Acid Rain: UN EEC Second Sulphur Protocol" was circulated to members of EDE but not copied here - with the inevitable consequence that none of the follow-up correspondence was copied here either. I should be grateful if you could make sure that everyone in your office is aware of this guidance.

I am copying this letter to Melanie Leech in the Cabinet Office.

Yours
Alex

**ALEX ALLAN**

Alan Riddell Esq
Department of the Environment

From: Jill Rutter
Date: 9 November 1993

MR ALLAN

cc: Mrs Hogg

**CIRCULATION OF CABINET PAPERS**

I have just received the attached bundle of papers from the Cabinet Office. You will see that there has been a lengthy Ministerial correspondence throughout October on the subject of the Sulphur Protocol. None of these papers were copied to us - nor did the Cabinet Office pick up that they had not been copied to us until yesterday evening.

I really despair. This is an important issue for the general presentation of UK's environment policy. We should have seen this correspondence. Yet the system completely failed to let us know that this was going on - with the exception of one letter sent at official level.

Is there anything that can be done? Your interventions so far do not seem to have sufficient effect - though things have improved.

If you agree, I will write to DoE Private Office to explain to them the difficulties that they caused by not copying this to No 10. I can write to Health too. But that does not deal with the general problem.

I fear that this is not as isolated as one might hope it would be. I am not sure whether other colleagues suffered. One of the great problems is that we only pick up by chance entire rounds of correspondence that are not copied here.

JILL RUTTER

9-11-7.jr

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1. cc. to M. S MARSTON (Economic Sec't)
2. file 23/23
pc 4/11

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FM UKMIS GENEVA
TO IMMEDIATE FCO
TELNO 734
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FRAME ENVIRONMENT

ACID RAIN: UN(ECE) SECOND SULPHUR PROTOCOL

FOLLOWING FROM LEADER OF UK DELEGATION

SUMMARY

1. MEETING OF HEADS OF DELEGATION OF WORKING GROUP ON STRATEGIES (GENEVA, 1-4 NOVEMBER) EXPECTED TO REACH SUBSTANTIAL MEASURE OF AGREEMENT AD REFERENDUM ON REVISED PROTOCOL TEXT. LITTLE MOVEMENT IN UK POSITION NECESSARY SO FAR. 'CRITICAL LOADS' APPROACH PRESERVED, BUT MAJORITY OPPOSITION TO PLANT EMISSION LIMIT VALUES (BAT) WEAKENING: COMPLEX GERMAN TEXT REMITTED TO CAPITALS FOR STUDY.

DETAIL

2. OPENING SESSIONS OF SPECIAL HEADS OF DELEGATION MEETING HAVE SO FAR SHOWN LITTLE MOVEMENT IN SULPHUR EMISSION REDUCTIONS OFFERED BY PARTIES AT LAST MEETING OF WORKING GROUP. AMONG PARTIES MAKING RELATIVELY LOW INITIAL OFFERS, IRELAND AND DENMARK HAVE MADE SOMEWHAT IMPROVED OFFERS AND FRANCE AND BELGIUM HAVE HEDGED. UK POSITION HOLDING AT PRESENT AT 50 PER CENT FOR REFERENCE YEAR 2000 AND 70 PER CENT FOR 2005 BUT WITH 80 PER CENT (AD REFERENDUM) FOR 2010 (OVER 1980 BASE).

3. ALTHOUGH UK'S OFFER FOR 2000 AND 2005 APPEARS RELATIVELY THE LOWEST AMONG MAJOR PARTIES, CRITICISM IN CLOSED SESSIONS HAS BEEN MUTED. BUT FURTHER PUBLIC EXPRESSIONS OF DISAPPOINTMENT LIKELY IN DUE COURSE FROM SCANDINAVIA, NETHERLANDS, GERMANY, AUSTRIA AND SWITZERLAND.

4. THERE IS GENERAL SUPPORT FOR THE UK'S PREFERRED APPROACH OF 'CRITICAL LOADS' BUT A SUBSTANTIAL MAJORITY APPEAR READY TO ACCEPT PARALLEL PLANT EMISSION LIMIT VALUES. UK RESISTANCE TO THE LATTER HAS BEEN WEAKENED BY SCANDINAVIAN READINESS TO COMPROMISE AND THE U.S. ANNOUNCEMENT THAT IT DOES NOT INTEND TO SIGN PROTOCOL. OUTCOME UNCERTAIN: COMPLEX GERMAN TEXT ON EMISSION CONTROLS ON EXISTING PLANT REMITTED TO CAPITALS FOR STUDY. MAY BE ABLE TO BE MADE ACCEPTABLE BUT UK HOLDING OUT FOR ECONOMIC FEASIBILITY/'NOT ENTAILING EXCESSIVE COSTS' TEST.

5. MOST REMAINING PROVISIONS EXPECTED TO PROVE UNCONTROVERSIAL FOR UK, BUT SCANDINAVIANS AND CENTRAL EUROPEANS MAY PRESS FOR COMMITMENT TO EARLY AND POSITIVE REVIEW PROCEDURE. SOME LAST MINUTE UPSETS FROM GERMANY AND SCANDINAVIA ALSO POSSIBLE.

LINE TO TAKE

6. IF RAISED, WE RECOMMEND THE FOLLOWING LINE BE TAKEN IN PUBLIC.

7. WELCOME RECENT PROGRESS, AND EVIDENCE OF UNDERSTANDING BY SCANDINAVIANS FOR UK POSITION. UK NOT ALONE IN BEING UNABLE TO ACCEPT FULL REDUCTION TARGETS CALCULATED BY RAINS MODEL. OUR 70 PER CENT BY 2005 OFFER NEVERTHELESS A SUBSTANTIAL ONE. IF OUTSTANDING ISSUES CAN BE RESOLVED NEW PROTOCOL SHOULD MAINTAIN PROGRESS IN ACID RAIN REDUCTION IN SPITE OF DIFFICULT ECONOMIC CLIMATE. U.S DECISION NOT TO SIGN PROTOCOL REGRETTED: UK HOPES U.S WILL MAINTAIN ITS ACTIVE PARTICIPATION IN THE LONG RANGE TRANSBOUNDARY AIR POLLUTION CONVENTION AND THAT IT MAY YET BECOME A PARTY TO THE PROTOCOL.

FCO PLEASE ADVANCE TO HOGWOOD (ESED, FCO), OSBORN, FISK AND MILLS (DOE), EGGINGTON (DTI) AND FELLGETT (TREASURY)

WILLIAMS

YYYY

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ADDITIONAL 1

FRAME

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CABINET OFFICE
R 3938
- 2 NOV 1993
REGISTRY

ER/0301/93 cc PM
CHX
MR BIFFEN
MR MARSTON

Y SWYDDFA GYMREIG
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 071-270 3000 (Switsfwrdd)
071-270 0538 (Llinell Union)
Fax: 071-270 0561
*Oddi wrth Ysgrifennydd Gwladol Cymru*

The Rt Hon John Redwood MP

WELSH OFFICE
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 071-270 3000 (Switchboard)
071-270 0538 (Direct Line)
Fax: 071-270 0561
*From The Secretary of State for Wales*

**POLICY IN CONFIDENCE**

CT/7870/93

CT
1 NOV 1993

31 October 1993

Dear John,

**ACID RAIN: UNECE SECOND SULPHUR PROTOCOL**

Thank you for copying to me your letter of 21 October to Michael Heseltine on this matter. I have now seen Michael's reply and the comments of other EDE colleagues who have responded so far. I am sorry I missed your deadline of 28 October but I thought I should place my views on record.

I have sympathy with the position the negotiating team finds itself in; and from a purely environmental perspective, the modest increase in our target commitment which you propose would be attractive as acid damage is a significant problem in Wales. As you acknowledge, however, there is no guarantee that a move to 73% would be successful tactically. There is also the clear risk that such a shift would, as other colleagues have pointed out, suggest to the other parties that the UK's position might be made even more flexible. This and the potentially serious implications for the coal industry - which Michael has highlighted - lead me to conclude that we should stick at the 70% emissions reduction commitment agreed by EDE in July.

I am copying this letter to other members of EDE and to Sir Robin Butler.

Yours ever

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

POLICY IN CONFIDENCE LPS|301|93 Advice pl. mr Ellis cc Mr Carter mr Marsh

2 MARSHAM STREET
LONDON SW1P 3EB
071-276 3000

by 28/10

My ref :

Your ref :

The Rt Hon Michael Heseltine MP
President of the Board of Trade
Department of Trade and Industry
Ashdown House
123 Victoria Street
LONDON
SW1

21 October 1993

**ACID RAIN: UNECE SECOND SULPHUR PROTOCOL**

You will be aware of the difficult negotiations which have been taking place in the United Nations Economic Commission for Europe (UNECE) on a second protocol to reduce sulphur emissions. You will also recall the embarrassment caused by the UK's failure to sign the first sulphur protocol (known as the 30% club) back in 1985: the tag of "dirty man of Europe" is one it has taken us time and effort to shake off. I now need your help to ensure that we do not find ourselves cornered unnecessarily a second time - and to avoid the unpalatable consequences for our environment and industry policies which it now appears certain would follow from failure to secure a satisfactory early settlement.

At the last UNECE meeting at the end of August the UK was widely criticised for its offering of a 70% cut in emissions by 2005, as this was so far off the 79% reduction by 2000 indicated by international collaborative scientific work. It is true that we were not alone in missing the ambitious ("RAINS" model) reductions which were then the negotiating focus; but it will have been obvious to the delegations on their return home that every country except the UK and Ireland had at least offered a cut which fell within the less demanding ASAM model of reductions on a 2005 timescale (or 2010 for the Eastern European countries whose economies are still in transition). We have now heard that the Irish have concluded that they should commit themselves to their ASAM target by 2005. This leaves the UK well and truly isolated.

At the next meeting on 1 November I have no doubt some of our European and North American partners will try to find a formula which can accommodate us - not least because of the scale of our emissions and their impact on some of the most sensitive European eco-systems. From the firm stance we have so far taken, it will in any case be clear to the ambitious parties (notably the Scandinavian and Germanic nations) that the RAINS reductions are beyond the reach of a significant group of key players. All that will help us. But there is no prospect they will go beyond the ASAM model as the minimum basis for an agreement: there would be

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no point in settling for less given that appropriate reductions have already been offered up by everyone else.

This places us in a most difficult position. The possibility which initially appeared open, and which Tim Eggar favoured in his letter of 23 September, of our forcing agreement by a firm stand at 70%, is now clearly unattainable at least so long as we alone remain just outside the negotiating range.

If we can offer nothing as part of a final agreement, we face a number of unpalatable outcomes. One is that a protocol will be agreed, but uniquely without the UK among all European (East and West) and North American states, at significant cost to the UK's reputation for international environmental responsibility (something we press upon others and need from them) and to our image as a modern industrial economy. You will recognise that that could also damage coal privatisation prospects: no-one will believe the UK can long stand aside from an agreement embracing all the rest of Europe and North America. They will assume we will be forced on board, sooner rather than later, and at a higher emission reduction target than we might otherwise have negotiated.

The second possibility is that the negotiations will break down entirely, a serious setback for the UNECE convention on Long Range Transport of Air Pollution, which has made a helpful contribution to international environmental progress in the last few years. That would be a most regrettable outcome, damaging to Britain because we would be largely blamed.

Undesirable in itself, such a breakdown carries a further risk for us. The Germans have never believed in the 'Critical Loads' approach we have promoted and which is the basis of the current protocol text. They want Best Available Technology/New Plant Standard requirements for existing plant. They will press this alternative approach as soon as the current approach appears to be failing, reaping the disappointment caused by our failure to deliver on the approach we have ourselves promoted. Their approach will find some support. The Scandinavians and the economies in transition are already showing some sympathy. If this approach gathered momentum in UNECE it would certainly carry forward to the review of the EC Large Combustion Plant Directive, due next year. That would be subject to qualified majority voting, and we cannot be confident that those EC countries currently with us in making modest critical load emission reduction proposals would support us then.

It is here that I see particular cause for concern. Stung by the low emission reduction offers from ourselves and certain others, some of our Community partners have now pressed the Commission to proceed with the LCPD review. We understand a first meeting is now to be held on the 15th and 16th November. The interaction with the two sets of negotiations could be very difficult. Unless there are prospects of an early settlement in UNECE the Commission will clearly now press the LCPD Review. This is likely to propose more onerous targets, will emphasize BAT, and, we are advised, will support a requirement for the retro-fitting of all base load electricity generating plant. If we have been unsuccessful in securing agreement to a 2005 end date for the protocol, and 2000 has been accepted, the Commission's thinking is to propose bringing

forward the present 2003 LCPD targets to that date. On the other hand if there has been a UNECE settlement with a 2005 target, they would incline to roll forward the present LCPD targets to that date. The conclusion I draw from this is that unless we are successful in securing an acceptable settlement within UNECE, the Commission will certainly pick up the issue in ways which will be much more difficult for us.

That seems to me to place a premium on trying to secure an early settlement within UNECE. To have any chance of securing this, I believe we must, at least, allow our team to make the very limited movement required to bring ourselves within the ASAM model negotiating framework. Our negotiations have made a good case on making allowances for transatlantic effects and are likely to receive support from the Irish. If this argument is accepted then moving from 70% to 73% would now be sufficient to bring us inside the ASAM range.

I believe this would be justified in terms of cost/benefit and coal considerations. 73% would surely be within the range of uncertainty in our figures on costs and benefits. Moreover, whilst we are agreed that costs over this timescale are uncertain, it would appear that earlier estimates may have erred on the high side. Other consultants' work we have seen recently, commissioned by your own Department, implies that costs could be substantially lower than your Department's earlier estimates. This is consistent with discussion between officials and National Power and the Scottish generators.

Nor is it easy to believe such a move could have any adverse effects on coal privatisation. The consensus view among outside commentators suggests that a 73% figure leaves ample room for coal - under any realistic scenario. Indeed, given, the pit closures now in prospect 73% may look low. Moreover, our target date is 12 years ahead, and the overriding concern of the Coal Review was coal contracts for the next few years. Indeed, committing to a 73% cut as part of final agreement will reduce uncertainty for privatisation, uncertainty which could be much more damaging to sale prospects than a definitive commitment.

Finally we must face the fact that there is no domestic public support for our current negotiating line, and its unpopularity will increase as our isolation becomes more clear. At present we risk getting the worst of both worlds - being blamed both for the decline of the coal industry - and for excessively cautious sulphur targets which take no account of it.

I recognise however that if we are to show any movement it must be as part of a final settlement, and not encourage the possibility of a drift to 76-79% which could have adverse implications for coal. I propose therefore that our instructions to our negotiators should be:

i) to open by sticking at 70%;

ii) to move to 73% only if:

d paper

- the UK faces complete isolation by adoption of ASAM figures as a decision rule;

- concessions by other states are leading to a general move back to the higher RAINS figure (implying insertion of 79% in the Protocol as the UK figure);

- Intransigence by the UK is provoking a move away from critical loads towards a BAT-based protocol;

iii) any such movement to be offered only for final agreement on the protocol emission reductions and to be ad referendum.

There is of course no certainty that such modest movement by us will be successful. But I hope you and colleagues will agree that in the circumstances it is well worth trying.

The next round of negotiations begins on 1 November. I would therefore be grateful for comments by Thursday 28 October at the latest.

I am copying this letter to other members of EDE and to Sir Robin Butler.

JOHN GUMMER

FCS/93/196

SECRETARY OF STATE FOR THE ENVIRONMENT

19880

Acid Rain: UNECE Second Sulphur Protocol

1. Thank you for copying to me your letter of 21 October to Michael Heseltine. I have also seen his reply of 28 October and the comments by William Waldegrave and Gillian Shepherd.

2. I recognise Michael's concerns about the implications for coal of a move from 70% to 73% in our target for reducing sulphur dioxide emissions, which were generally shared by colleagues when this issue was discussed in EDE in July.

3. However I also agree with you that it would be damaging to the UK's international credibility on environmental issues if we were to be seen as responsible for a breakdown of the negotiations, or if a protocol was agreed which the UK alone could not sign.

4. At the moment, there seems to be a good chance that the issue will not come to a conclusion this week, and I agree with Michael that our negotiators should continue to take the tough line agreed at EDE. But, if our negotiators report that either of the damaging outcomes which you have warned of seems probable as this week's meeting progresses, I think we will have to reconsider the EDE line. In those circumstances, and if a move to 73% and no further looked likely to bring the negotiations to a successful conclusion, then I would support such additional flexibility, on the basis you outline.

5. I am copying this minute to colleagues in EDE and to Sir Robin Butler.

DH.

(DOUGLAS HURD)

Foreign and Commonwealth Office

2 November 1993

LPS/030/93 pl. assoc Mr Burd
cc Mr Bowen, Mr Marsh
~~Miss Harper~~

2 MARSHAM STREET
LONDON SW1P 3EB
071-276 3000

My ref:

Your ref:

2 November 1993

The Rt Hon Michael Heseltine MP
President of the Board of Trade
Department of Trade and Industry
Ashdown House
123 Victoria Street
LONDON
SW1

3884

**ACID RAIN: UNECE SECOND SULPHUR PROTOCOL**

Thank you for your letter of 28 October 1993. I am of course disappointed that you feel unable to agree to our giving our negotiators the limited flexibility necessary for them to promote an early settlement at a level close to our original proposals.

This leaves a difficult position. We cannot simply contract in and out of the international collaborative scientific basis for the protocol as and when it is convenient for us to do so. We must also face the fact that in the absence of any positive proposals from the UK the Convention may simply write in for the UK the obligation to which that international scientific work points (76% or 79% emission reductions).

I recognise that in the light of your position our instructions to our negotiators at this point must nevertheless be to stick at our present offer, and to seek to avoid any higher figure being written in for the UK. We must hope it is possible to hold the line this week. But if events move quickly - and certainly if it is in a direction prejudicial to next year's review of the Large Combustion Plant Directive - we may need urgent discussions. I understand Cabinet Office have made contingent arrangements; we shall of course notify them as soon as we are able to judge whether or not a meeting will be needed.

Incidentally we continue to have difficulties in reconciling your department's conclusions on costs and impact on coal with other assessments. Once next week's negotiations are out of the way our officials must clearly return to that also.

I am copying this to EDE colleagues and to Sir Robin Butler.

JOHN GUMMER

100% recycled paper

pmg.mr.Trout.1N.29.10

LPS/0301/93 pt.a3500
Mr Burd
cc Mr Jones
Mr Marston

**POLICY IN CONFIDENCE**

PAYMASTER GENERAL

F 3883
2 - OCT 1993

Treasury Chambers, Parliament Street,
London, SW1P 3AG

The Rt Hon John Gummer MP
Secretary of State for the Environment
Department of Environment
2 Marsham Street
London
SW1

1st November 1993

Dear John

**ACID RAIN: UNECE SECOND SULPHUR PROTOCOL**

I have seen your letter of 21 October to Michael Heseltine, as well as Michael's reply of 28 October and the comments from Gillian Shephard and William Waldegrave.

I am not sure if this is an issue that will need further collective discussion at some stage. If it does, no doubt we will need to consider the arguments about diplomatic pressures and our international image and the questions of domestic politics and presentation relating to coal.

I very much hope, however, that we will also be able to take account of the best information that can be produced about the costs and benefits of your suggestion. Officials earlier produced a certain amount of information about the likely benefit to the environment and the cost to the British economy as a whole. I hope that analysis can now be brought to a speedy and agreed conclusion.

I suggest we may well also want to consider carefully whether any further move by the UK would be likely to secure an agreement which would endure, not just in further negotiations on the UNECE protocol but also in renegotiation of the Community's Large Combustion Plants Directive (LCPD). I sympathise with Michael's concern that movement by the UK might just be seen as a sign of weakness. Do we have any good reason to believe 73%, or any other figure, is one other Community countries can be relied on to support in the LCPD negotiations?

I am copying this letter to Michael Heseltine and other members of EDE and to Sir Robin Butler.

Yours ever

John

THE RT HON SIR JOHN COPE MP

SECRETARY OF STATE FOR SCOTLAND

SCOTTISH OFFICE
WHITEHALL LONDON SW1A 2AU

14753

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

29 October 1993

Dear Secretary of State

ACID RAIN: UNECE SECOND SULPHUR PROTOCOL

Thank you for copying to me your letter of 21 October to Michael Heseltine about the stage reached in the negotiations about the UNECE Second Sulphur Protocol.

I acknowledged in my letter of 8 July (not copied to all) that it would be unfortunate if the UK were to be identified as the cause of the final breakdown of negotiations. As was acknowledged by EDE, however, the costs to industry, users and producers of electricity should not be ignored. In that context it may be that a thorough review of the Large Combustion Plant Directive may now be the more serious threat.

My concern is that the small further shift which you propose may in practice make it the more difficult to resist the much more commanding figures which you quote at the bottom of the third page of your letter. Your judgement is that we could stick at 73% but, were this to prove impossible, the risk may not be worth taking.

Whether or not some further concession is thought to be necessary, I remain of the view, as mentioned in my earlier letter of 8 July, that, when the time comes to implement whatever proves to be the final figure, this should be done flexibly to avoid carrying forward the relatively harsh treatment in setting the respective allocations for emissions north and south of the border. I would therefore want my officials to have an opportunity to deploy arguments designed to ensure the most cost effective solution when the time comes to implement any geographical/industry allocation of the eventual UK figure.

I am copying this letter to other members of EDE and to Sir Robin Butler.

Yours sincerely

IAN LANG

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

AMC00125.103

LPS/0301/93 pl. assoc
mr Bird
cc mr Owe
mr Mans

POLICY IN CONFIDENCE

The Rt. Hon. Michael Heseltine MP
President of the Board of Trade

Secretary of State
**Department of Trade and Industry**

Ashdown House
123 Victoria Street
London SW1E 6RB

Direct line
071-215 4440

DTI Enquiries
071-215 5000

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

28 October 1993

Dear John

**ACID RAIN: UNECE SECOND SULPHUR PROTOCOL**

Thank you for your letter of 21 October with your proposal for moving the sticking-point for our national target for reducing sulphur dioxide emissions to 73%, from the 70%-in-2005 target agreed in EDE in July of this year.

I recognise the difficult negotiating position we face at the November meeting, but I do not think that officials should be given freedom to move to 73%. Against the background you have described, it seems highly unlikely that a 73% offer would secure agreement if 70% does not. It is much more likely that signalling in this way a willingness to move now would be taken by others as a sign of weakness, and open the door to yet more pressure for further concessions.

While I fully accept that estimates of both costs and benefits of any target are subject to considerable uncertainty, the direction of the effects of such a movement, even from 70% to 73%, is quite certain. Not only would it involve additional costs of several hundreds of millions of pounds, but the available UK market for coal would be reduced by up to 6 million tonnes per annum. This, in turn, would be likely to lead to a reduction of up to half a dozen deep mines over and above any closures which may be needed between now and the early part of the next century. There would, in these circumstances, be severe doubts whether any deep-mine industry would survive. This would be likely to have a major effect on the prospects for privatisation. The timing would also be particularly unfortunate as the Coal Bill starts its passage through the House, and at a time when possible pit closures are again the subject of intense speculation.

POLICY IN CONFIDENCE



dti
the department for Enterprise

Recycled Paper

Furthermore, although it is arguable that a 70% UK target is consistent with model results under certain reasonable assumptions, and I am of course happy for this line to be pursued for presentational purposes, I am firmly convinced that we should not concede, even by implication, the important principle that national policies and targets should be dictated in detail by computer models, with all their inevitable simplifications and uncertainties on both environmental and economic factors. This is especially so in this case where wide divergences exist between different models, and where there remain unresolved issues on key input data.

Having weighed as best we could the costs and benefits in EDE, we have made a substantial offer in UNECE of a 70% reduction in sulphur emissions, which on any criteria will bring major environmental improvements. I believe we should continue to stress this in negotiations.

From your viewpoint, I can understand why it might appear that there is no domestic support for our current negotiating line. However, from mine, I can assure you that there will be very strong support for all reasonable measures to preserve opportunities for coal.

Finally, I believe that the particularly sensitive position in relation to coal rules out any further concession being made at the November meeting, and I can not therefore accept your proposals.

I am copying this letter to members of EDE.

Yours ever

Gillian

PE10158



dti

the department for Enterprise

888-889

14642

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

**From the Minister**

**POLICY IN CONFIDENCE**

The Rt Hon Michael Heseltine MP
President of the Board of Trade
Department of Trade and Industry
Ashdown House
123 Victoria Street
LONDON
SW1E 6RB

Mr Owen

Mr Bird
c. Mr Niven
Mr Marsten

Done 28/10

17 October 1993

Dear Michael

**ACID RAIN; UNECE SECOND SULPHUR PROTOCOL**

John Gummer wrote to you on 21 October proposing that we give our negotiators in Geneva a little more flexibility in securing an agreement on this protocol.

I have some sympathy with the arguments John put forward. In particular, if, as seems likely, we are forced to accept larger emission targets in the longer term, why risk shooting ourselves in the foot now at great cost to our international environmental reputation? Could not any difficulties on coal be overcome by skilful presentation?

I am copying this letter to other members of EDE and to Sir Robin Butler.

Yours ever

Gillian.

**GILLIAN SHEPHARD**

F.3835
28 OCT 1993

cc Mr Bowers
Mr Bird
Mr Marsden

CABINET OFFICE
70 Whitehall, London SW1A 2AS
*Telephone:* 071-270 0400

*Chancellor of the Duchy of Lancaster*
*Minister of Public Service and Science*

POLICY IN CONFIDENCE

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

26 October 1993

Dear John,

**UNECE: SULPHUR EMISSIONS PROTOCOL**

Thank you for copying to me your letter of 21 October to Michael Heseltine in which you outline a revised negotiating position for the forthcoming UNECE meeting.

I agree with your proposals that we should aim for an early settlement with a modest increase to a 73% reduction.

A UNECE settlement will set the scene for negotiations in the EC's Large Combustion Plant Review in mid-November which, as you say, could involve us in even more unfavourable proposals.

I would like to be kept informed of further developments.

I am copying this letter to other members of EDE and to Sir Robin Butler.

Yours,

**WILLIAM WALDEGRAVE**

**HM Treasury**

Parliament Street
London SW1P 3AG
Telephone 071-270 4769

**POLICY IN CONFIDENCE**

c. Mr Bird
Mr Nixon
Mr Morton

Peter Owen
Cabinet Office
70 Whitehall
LONDON SW1A 2AS

27 October 1993

FILE

Dear Peter

**SULPHUR**

I understand you may have a discussion of this subject in the margins of another meeting this afternoon. I thought it may therefore be helpful to let you have my views, although at this stage I cannot commit Treasury Ministers.

The UK's problem remains, as I understand it, target dates rather than objectives. This is because of the age primarily of our coal fired generating plant. Countries with on average older coal fired electricity generating stations will have phased them out before the proposed target date of 2005. Countries with newer stations will be willing to fit sulphur scrubbing equipment to existing stations, as the UK will do to some extent to its newest power stations. A general willingness on the UK's part to move rather more than other countries not long after 2005 therefore seems to me still perhaps to have a part to play in managing international public opinion.

I am not clear why some modest movement in 2000 is ruled out, although for this date coal problems do loom I recognise.

As for scope for movement in 2005, it seems to me deeply disappointing that we cannot tell Ministers what the costs and benefits are likely to be. Would 73 rather than 70% lead to a greener and more pleasant land at virtually no cost? Or would it be a disproportionate burden on the British economy for the sake of a couple of pine trees. I would hope it was still possible in particular for the DOE and DTI to sit down and produce an agreed statement of the implications of this proposal for the environment and for trade and industry. So far as possible, quantified and consistent with the approach advocated in the interdepartmentally agreed DOE guide to the appraisal of environmental decisions. Such a statement seems to me virtually essential if there is to be a collective Ministerial meeting.

**POLICY IN CONFIDENCE**

At present all we have to go on are suggestions the cost to the British economy would be somewhere between small (DOE view) and £200 or 300 million (DTI view). I am even less clear what the possible benefits would be.

As you know, the view here is that the relevant coal issues are presentation rather than privatisation. I doubt if Treasury Ministers would agree that the presentational problems can now be set aside, although I think they would see them as less of a major concern than when Ministers last discussed this question before the summer break.

In my view, the key question may therefore be whether 73% would be a sticking point or another step down a slippery slope. My present inclination would be to advise Treasury Ministers attending any meeting to accept 73% if there was a bankable commitment the figures would then stick through not just the UNECE negotiations but also through the discussions of the LCPD. I would be interested in others views on whether this might represent a way through, and if so what could reasonably be viewed as a bankable commitment. Richard Mills' explanation of why 73% is a rational stopping point is therefore helpful, although I doubt if by itself that is enough. I think we would need at least a political commitment at Ministerial level in enough European capitals (including Paris and Bonn) about the LCPD. Obviously, it would take a little time to explore this in other capitals.

But if we cannot plan on the basis that 73% would be a sticking point, I cannot see much advantage in the UK moving now in the UNECE negotiations. If we were on a slippery slope, taking those negotiations and the LCPD together, we still at some stage face a choice between holding out almost alone and conceding a figure which would have a disproportionate economic cost in the UK.

One final thought. There is the option - although there are pros and cons - of exploring attitudes to the LCPD in other European capitals in parallel with discussions on water quality.

Copies go to Richard Mills (DOE), Ann Eggington (DTI), Jill Rutter (No.10) and to John Beastall here.

Yours ever

Robin

ROBIN FELLGETT

C. Mr Owen
Mr Bird
Miss Neville-Jones
Mr Kuhler 19/7
(without attachment)

97N

**CABINET OFFICE**
70 Whitehall, London SW1A 2AS
*Telephone* 071-270 0101 *Facsimile* 071-270 0208

*From the Secretary of the Cabinet and Head of the Home Civil Service*
Sir Robin Butler GCB CVO

Ref: A093/2334

16 July 1993

Dear Mark,

Collective Ministerial Business

I wrote round to private secretaries on 28 January reminding them of the ground rules for seeking collective agreement to proposals in the domestic policy sphere.

There have recently been a number of changes in private offices. I am therefore recirculating the earlier guidance which remains current.

Our experience is that these arrangements are generally working well. However we have noticed a tendency for Committee correspondence not to be copied to the Prime Minister (paragraph 5 on page 2), particularly in the domestic policy sphere. Failure to do so makes it difficult for No 10 to follow the correspondence and provide full advice to the Prime Minister where necessary. I should be grateful if correspondence lists could be checked to make sure that the Prime Minister is included. This is particularly important in letters initiating correspondence on a particular subject as the first copy list tends to be followed by later contributors.

Also, Departments are increasingly being given tight deadlines to comment on policy proposals. The guidance makes it clear that at least 2 weeks should normally be allowed for comments. Where exceptionally Departments are asked to comment in less than 2 weeks, the reason for the short timescale should always be given.

A further point is the need to keep Tuesday mornings between 9.30 and 11.00 am reserved for Cabinet Committee business. EDH, EDI, OPD or other important Committee meetings are normally arranged at this time. Cabinet Office Committee section will wherever possible advise if the slot is not required for Committee business on the preceding Thursday at the latest.

\One final point

Mark Ormerod Esq
PS/Lord Chancellor

One final point concerns the length of memoranda prepared for Cabinet and Cabinet Committee meetings. Memoranda should be as succinct as possible; the current guidance (CSI(91)1 para 4.2) is that they should not exceed 2 pages, excluding annexes. Where because of the complexity of the subject matter a longer memorandum is unavoidable, a short covering paper should be prepared which summarises the issues for decision.

I am copying this letter to the private secretaries to all Ministers in charge of Departments, the Lord Privy Seal and the Lord President of the Council, and to the private secretaries to the Prime Minister, the Attorney General, the Lord Advocate, First Parliamentary Counsel and First Scottish Parliamentary Counsel.

Yours ever,

Melanie

Melanie Leech
(Private Secretary)

Ref. A093/1946

MR OWEN
MISS NEVILLE-JONES
MR FITCHEW
MR BIRD

cc Mr Allan

**Length of Cabinet Committee Papers**

Sir Robin was grateful for Mr Owen's minute of 28 May proposing a modification of the rules governing length of Cabinet Committee papers.

2. Paragraph 4.2 of the Handbook for the Cabinet Documents Officer currently states that memoranda for Cabinet and Cabinet Committees "should be no longer than can be contained in two pages (excluding Annexes)". Sir Robin noted that there was a tendency for recent papers to exceed this, and in some cases to be significantly longer than what was acceptable. It was suggested at Dep Secs however that in some cases the guidance was now unrealistic: certain issues needed to be explored in some detail and there were therefore legitimate reasons for some memoranda to exceed the two page limit.

3. Sir Robin felt that pressure should be applied on Departments to keep memoranda within the existing guidelines. He recognised however that there may be occasions when it would be counter-productive to try to enforce the two page rule. He did not wish to initiate a formal change in the guidance about the length of memoranda, which would require the approval of the

Prime Minister. He thought however that Cabinet Secretariats should bring informal downward pressure to bear on the authors of memoranda to limit their length wherever posible to remain within the existing guidelines of a two page covering paper summarising the argumentation, and one or more Annexes; but as a fall-back, a paper of four pages (1.5 space 12 point type) without Annexes.

4. I should be grateful if you could bear this in mind for Cabinet and Committee documentation for the future.

Kenneth Hogg

KENNETH HOGG

**11 June 1993**

clean copy R

C. W. B.

Mr Cheer

FOLIO 58N

**CABINET OFFICE**
70 Whitehall, London SW1A 2AS
*Telephone* 071-270 0101 *Facsimile* 071-270 0208

*From the Secretary of the Cabinet and Head of the Home Civil Service*
Sir Robin Butler GCB CVO

Ref: A093/267a

28 January 1993

R4/3

Dear Jenny,

I am writing to remind private offices and departments of the conventional ground rules for seeking collective agreement to policy proposals, particularly those on the domestic side (EDH, EDI, EDE and EDL). I would be grateful if you and colleagues to whom this letter is copied would ensure that the procedures are made known to other private offices and senior officials in your department.

General Comments

With the exception of science policy matters which are for EDS, domestic policy issues which engage collective responsibility should in general be considered in the appropriate domestic policy committee under Lord Wakeham's chairmanship. In certain cases where strategic issues arise, EDP (chaired by the Prime Minister) might be the more appropriate committee. Any proposals to handle business in this way should first be discussed with the Cabinet Office Secretariat.

Matters For Collective Discussion

The Cabinet Office Secretariat should be told at the earliest possible opportunity of any matters likely to require collective discussion, so that a suitable date for the relevant committee meeting can be found. The main meetings on domestic policy issues will normally be held on Tuesday mornings at 9.30 - 11.00 am. In all but the most exceptional circumstances, departments should prepare a paper for consideration by the committee, even in cases where a matter has been dealt with in correspondence before the need for a discussion has been identified. The detailed arrangements for submitting papers for collective discussion are set out in the Cabinet Document Officer's handbook.

Clearance By Correspondence

Jenny Rowe
PS/Lord Chancellor

Clearance By Correspondence

It is well established practice that the less important items of domestic policy business are cleared by correspondence. This is a convenient arrangement, which saves the time of committee members and allows business to be dealt with expeditiously.

It is important to ensure that recipients of correspondence are given adequate time to respond and that Ministers seeking clearance in correspondence are not unreasonably held up by delays in replying. I would therefore like to remind departments of the informal rules which have for many years now applied to policy clearance in correspondence by the Home Affairs Committee, now EDH, which should be applied also to clearance in correspondence by the other domestic policy committees.

In normal circumstances, letters seeking policy approval should allow at least 10 working days (usually 2 calendar weeks) for comment. Recipients should aim to reply within the 10 day timescale. It will be for the private office of the Minister originating the correspondence to check by a ring round towards the end of the period whether individual Ministers intend to comment on a proposal, and, in the light of the outcome of that ring round, the Chairman of the committee will write with the committee's overall conclusions as soon as possible. The silence of the Chairman should not be taken to imply approval, even in cases where a deadline for comment has been given.

It may on occasion be necessary to seek approval within a timescale shorter than 10 days. In such cases, the reason for urgency should be clearly explained. Only in exceptional circumstances beyond a Minister's control should approval within 5 days or less be sought. Where timescales are tight, the originating department should alert the private office of the committee Chairman and departments with a known interest by telephone as soon as the letter is despatched. Departments which, exceptionally, will be unable to reply by the deadline should inform the originating department and the Chairman's private office by telephone as soon as possible.

Addressing and Copying of Correspondence

All committee correspondence should, as a matter of course, be addressed to the Chairman and copied to all members of the committee, the Attorney General and the Lord Advocate, the Cabinet Secretary, and to the Prime Minister for information. EDH correspondence should be copied also to the Minister of Agriculture, Fisheries and Food. Care should be taken to ensure that in appropriate cases copies of the correspondence go also to Ministers who are not members of the committee but whose departments have an interest in the subject of the letter or are likely to be affected by the proposals. This applies particularly to the Scottish, Welsh and Northern Ireland Offices. Where the policy proposals would involve legislation, correspondence should be copied additionally to First Parliamentary Counsel and/or First Scottish Parliamentary Counsel.

Sir Robin Butler should also receive a copy of any inter-ministerial correspondence relating to policy matters which is circulated on a Cabinet committee circulation or which might in due course come to one of the committees; and also on any proposal by a Minister for the establishment of any new Cabinet or ad hoc committee.

/Conclusion

Conclusion

I would be grateful if your officials could be made aware of these arrangements so that they can organise their submissions to Ministers accordingly. Where anyone is unclear about the approach to be adopted in any particular case, the relevant member of the Cabinet Secretariat will be happy to discuss it.

Following the restructuring of the Ministerial committees dealing with domestic policies earlier in the year, the Economic and Home Affairs Secretariats have now been combined into a single Economic and Domestic Affairs Secretariat. A separate Legislation Secretariat will be retained. Existing contacts with departments will not be affected by this change. I attach at A the Cabinet Office Secretariat for each of the domestic committees.

I am copying this letter to the private secretaries of all Ministers in charge of departments, the Lord Privy Seal and the Lord President of the Council, and to the private secretaries of the Prime Minister, the Attorney General, the Lord Advocate, First Parliamentary Counsel and First Scottish Parliamentary Counsel.

Yours ever,

Melanie

Melanie Leech
(Private Secretary)

# SECRETARIAT ARRANGEMENTS FOR DOMESTIC COMMITTEES

## Ministerial Committees

| | |
|---|---|
| EDP | Sir Robin Butler (0101)<br>Peter Owen (0240)<br>Richard Bird (0189)<br>Bob Niven (0140) |
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| EDH(U) | Richard Bird (0189)<br>Bob Niven (0140)<br>Stephen Marston (0034) |

| | |
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| EDH(D) | Richard Bird (0189)<br>Alex Galloway (0242)<br>Jenny Turnbull (0135) |
| EDH(A) | Bob Niven (0140)<br>Alex Galloway (0242)<br>Jenny Turnbull (0135) |
| EDH(W) | Bob Niven (0140)<br>Alex Galloway (0242)<br>Jenny Turnbull (0135) |
| GEN24<br>(Yugoslav refugees) | Richard Bird (0189)<br>Bob Niven (0140)<br>Alex Galloway (0242) |

PB: 221.a

PRIN PS
PS PCO
PS TSY
PS PARLY
PS HOME
PS DIARY

① cc Mrs Hogg
Para 2 is not as good as my version (but better than original).
X on p 2 is important and something to back depts with if they fail to copy correspondence.

② Circulate round Private Office

**CABINET OFFICE**
70 Whitehall, London SW1A 2AS
*Telephone* 071-270 0101 *Facsimile* 071-270 0208

*From the Secretary of the Cabinet and Head of the Home Civil Service*
Sir Robin Butler GCB CVO

Ref: A093/267

28 January 1993

Dear Jenny,

I am writing to remind private offices and departments of the conventional ground rules for seeking collective agreement to policy proposals, particularly those on the domestic side (EDH, EDI, EDE and EDL). I would be grateful if you and colleagues to whom this letter is copied would ensure that the procedures are made known to other private offices and senior officials in your department.

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Jenny Rowe
PS/Lord Chancellor

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It may on occasion be necessary to seek approval within a timescale shorter than 10 days. In such cases, the reason for urgency should be clearly explained. Only in exceptional circumstances beyond a Minister's control should approval within 5 days or less be sought. Where timescales are tight, the originating department should alert the private office of the committee Chairman and departments with a known interest by telephone as soon as the letter is despatched. Departments which, exceptionally, will be unable to reply by the deadline should inform the originating department and the Chairman's private office by telephone as soon as possible.

Addressing and Copying of Correspondence

X

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/Conclusion

Conclusion

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Yours ever,

Melanie

Melanie Leech
(Private Secretary)

# SECRETARIAT ARRANGEMENTS FOR DOMESTIC COMMITTEES

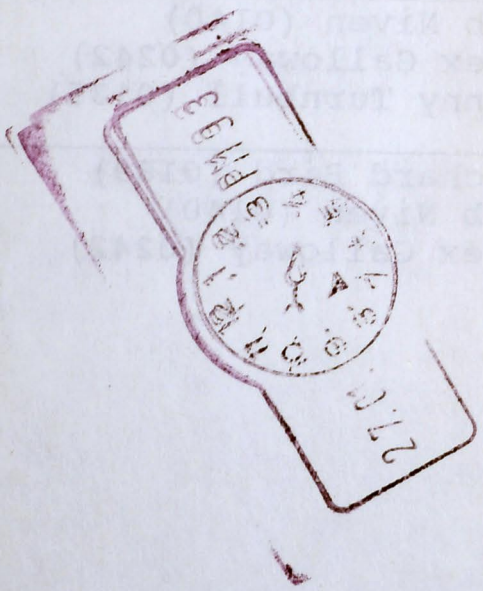
## Ministerial Committees

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| GEN24<br>(Yugoslav refugees) | Richard Bird (0189)<br>Bob Niven (0140)<br>Alex Galloway (0242) |

PB: 221.a

CABINET: Cabinet Committee Shorton



C. Nw Allan - grateful for your views on X

Janet. 4.12.

Qz0318

CABINET OFFICE
A 16189
- 1 DEC 1992
FILE No.

Melanie.

**MS GRAUBERG**

**FROM: D A HADLEY**

**DATE: 1 December 1992**

**c. Miss Neville-Jones**

## COLLECTIVE DISCUSSION

You sent me a copy of a letter to be sent out to departments about procedures for considering domestic policy issues in the relevant Cabinet Committees.

2. I do not think that consideration of EC issues could easily be fitted into this rather constraining format. Very many EC questions are dealt with in ministerial correspondence. But most of them relate partly - and some of them wholly - to matters of negotiating strategy and tactics rather than to what the policy aim should be. More important, the timing is normally outside anyone's control, since the questions are generated by developments in Brussels and the deadline is some meeting or other taking place there. So the option of telling a department it cannot have a decision because it has not raised the issue quickly enough is not on.

3. There are certainly some cases where departments do not raise issues as quickly as they should. But I think these are best dealt with as they arise rather than by attempting to lay down specific rules which it would not be possible to apply in many cases.

4. I notice that the draft letter requires all correspondence sent out to members of a domestic policy committee to be copied also to the Prime Minister for information. We do not at present do this on the EC side. Sometimes we tell a department that it should copy a letter to No 10: otherwise departments use their own judgement. I would like to know whether this practice is to be changed. I rather wonder whether No 10 really want all correspondence sent out on the OPD(E) circulation bearing in mind that, as I have said, a fair bit of it deals with negotiating tactics rather than policy. If they do want all such letters, we can, I think, arrange it ourselves without the bother of a letter at Private Office level.

X

Stephen

~~The domestic side~~

The copying requirement on the domestic side arises from difficulties the Policy Unit have in getting papers. So no need to follow on EC or overseas sides?

D. H

**D A HADLEY**

CABINET OFFICE
A 16437
-4 DEC 1992
FILING INSTRUCTIONS
FILE No.

Ref: B.01247

**MISS GRAUBERG**

c Mr Hadley

c. NW Allan
1. Stephen
2. File

Collective Discussion

For similar reasons to those advanced by Mr Hadley, I think that, on balance, it is not necessary to expand Miss Leech's proposed letter to departments on handling domestic policy proposals to include defence and foreign affairs. Nor do I at present recommend a parallel letter.

2. I have not observed any general tendency in the departments with which I normally deal to ignore the requirement for collective discussion. There are the odd instances, but we normally pick these up. Our problem recently, at least in the OD Secretariat, has been to find time for collective decision making on non-European matters. By and large departments are not guilty of giving insufficient notice except where this is outside their control. Our day-to-day contacts are usually adequate to ensure that departments understand the need for timely OPD papers and to keep them up to the mark in particular cases. They are also generally pretty good about copying us into interdepartmental correspondence and internal submissions.

3. The biggest hiccups occur over failure to copy Ministerial and Private Secretary correspondence to Melanie Leech. This does happen more frequently than I would wish. Even Stephen Wall is guilty from time to time. It is not intentional. Following a recent meeting at Dep Secs, I have spoken to those concerned in Private Offices and - so far as I know - there have been no recent slip-ups. I think, therefore, that for now, things can be left as they are. If I find that there are renewed difficulties, I hope I might revert to you, perhaps with a draft addressing this point exclusively.

**Miss L P Neville-Jones**

2 December 1992

Ref. A092/3125

Acknowledge and print Mine

MR OWEN

cc Mr Hadley
Miss Neville-Jones
Mr Robertson
Mr Allan
Mr Bender
Mr Bevan
Mr Burr
Mr Bird
Mr Eldon
Mr Marston
Mr Galloway
Miss Turnbull
Miss Leech
Ms Grauberg

PRIN PS
PS FCO
PS TSY
PS PARLY
PS HOME
PS DIARY

Cabinet Papers: Format

--- I attach, for information, a letter recently circulated to Ministers' Private Offices. It was prompted by the difficulties experienced in this office in recent weeks in knocking into shape Cabinet papers provided by Departments. You might find it useful in dealing with Departments on the preparation of papers.

Janet Grauberg.

MS J C GRAUBERG

30 October 1992

**CABINET OFFICE**
70 Whitehall, London SW1A 2AS
*Telephone* 071-270 0101 *Facsimile* 071-270 0208

*From the Secretary of the Cabinet and Head of the Home Civil Service*
Sir Robin Butler GCB CVO

Ref: A092/3122

30 October 1992

Dear Jenny,

**Cabinet Papers: Format**

Since a number of recent Cabinet papers submitted by Departments for circulation have been in the wrong format (which entails re-typing and consequent delay), I thought it would be helpful if I circulated a quick check list for preparing a Cabinet paper. This differs slightly from the format for Cabinet Committee papers. All the information is contained in pages 13 and 14 of the "Handbook for the Cabinet Documents Officer".

Format

--- A specimen format is attached at A. Key points are as follows:

a. Originals

Papers should be provided as originals not photocopies.

b. Classification

No classification markings should appear on the document except where the paper is restricted to Cabinet members only (CMO). In this case, the words "CMO until [date]" should appear on the top right hand corner of every page of the document. The classification should instead be notified to Sir Robin Butler's Office.

c. Heading

The words "THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT" should appear in capitals across the top of the first page. (See specimen).

/d. Paper number

Jenny Rowe
PS/The Lord Chancellor

d. Paper number

Cabinet paper numbers are issued by Sir Robin Butler's office. As soon as it is known that a Cabinet paper is to be prepared, Sir Robin Butler's Office should be telephoned and a number obtained.

e. Copy number (see specimen).

f. Date

The date should be the date of photocopying. It should appear on the front page, on the last page of the text, and at the foot of the last page of any annexes.

g. Title

See specimen for layout.

h. Signing off

Papers for Cabinet bear the initials of the originating Cabinet Minister. The Department and the date appear on the last page of text (see specimen).

I am copying this letter to the private secretaries to all Cabinet Ministers. I should be grateful if they could bring it to the attention of Ministerial typing sections or whoever produces the final version of papers for Cabinet.

Yours sincerely,

Janet Grauberg.

Ms J C Grauberg
(Assistant Private Secretary)

A

THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT

CP(92) 19
27 October 1992

COPY NO

CABINET

# PAY RESTRAINT FOR THE PUBLIC SECTOR

Memorandum by the Chancellor of the Exchequer

1. Text.

2. Text.

N L

HM Treasury

27 October 1992

[Page numbers]

file

**MISS RUTTER** (you should know better. Send back for reprogramming!) cc. Mrs. Hogg

**CIRCULATION OF CABINET COMMITTEE CORRESPONDENCE TO NO. 10**

I raised with the Cabinet Office yesterday the point you had made about trying to ensure that correspondence distributed to all members of a Cabinet Committee was copied to No. 10. They expressed willingness to keep going with the present system of watching out for papers that were not copied to No. 10, and passing copies on. But, as we know, that system is not fool-proof.

The alternative suggested was for me to write round to all Private Secretaries to say that, as a matter of routine, please could all such correspondence be copied to the Prime Minister. I said I would consider this. I am very ready to do it, but my only hesitation is whether it would be seen as the Prime Minister seeking to "interfere" in the work of committees, and in particular whether this might be resented by the Chairman.

What do you think?

**ALEX ALLAN**

30 October 1992

pps\circulation.vlb

Jill

① Sarah - ~~to add a view~~ Perhaps we should all 3 speak Sarah

② Alex

I think that we do need a better system. We get all the formal papers - this isn't much to add. If it looks less interfering you could add Sarah rather than the PM — or you to make clear it wasn't necessarily to be put to him. Your letter would have to be carefully worded.

JH 30/x

PERSONAL AND CONFIDENTIAL

# CABINET OFFICE

70 Whitehall London SW1A 2AS
Telephone 071-270 0101 Fax 071-270 0208

*From the Secretary of the Cabinet and Head of the Home Civil Service*
**Sir Robin Butler KCB CVO**

Ref. A092/1208

15 April 1992

Dear Terry,

Many thanks for your letter of 1 April about the three episodes of Ministerial discussions without adequate papers, which I alleged in my letter of 5 March.

I do not want to prolong an inquest into these incidents because it is clear that you have taken the point.

However, since you are puzzled about the discussion on the local authority settlement, I should be more clear.

The episode which I had in mind was the final Cabinet discussion of the local authority finance settlement on 23 July 1991 when your former Secretary of State asked the Cabinet to clear a draft statement which had been circulated with a minute so late that neither the Prime Minister nor I (nor, I suspect, any other member of the Cabinet) had it in front of them. In addition, on that occasion the Secretary of State raised the issues of the extra band for council tax and the consultative paper on the internal management of local Government, which were not covered in the Lord President's report as Chairman of EA(LA).

On the East Thames corridor, it was certainly envisaged by us, as you say, that the presentation on 4 March would be just that, with the normal process of Cabinet Committee discussions thereafter. However, there is no doubt that at the presentation on 4 March Ministers had the impression, as I did myself, that they were being asked to take broad, but major, decisions on the spot.

I am copying this letter to Peter Owen and Andrew Turnbull.

Yours ever,

Robin

Sir Terence Heiser GCB
Department of the Environment

PERSONAL AND CONFIDENTIAL

*Department of the Environment*

*2 Marsham Street London SWIP 3EB*

*Tel: 071 276 3600*
*Fax:071 276 5995*

*Permanent Secretary*
*Sir Terence Heiser GCB*

**PERSONAL AND CONFIDENTIAL**

Sir Robin Butler KCB CVO
Secretary of the Cabinet and Head
of the Home Civil Service
Cabinet Office
70 Whitehall
London
SW1A 2AS

Your Ref: A092/673

1 April 1992

Dear Robin

Thank you for your letter of 5 March. As you can imagine, I was concerned at what you had to say. So I have talked through the circumstances surrounding the three issues you raised with senior colleagues here. We have also gone back over the papers.

2. First, on the question of the $CO_2$ targets, I do have to apologise for the fact that my Secretary of State did not circulate a paper before the GEN4 meeting on 26 February. As I explained to you when we discussed this it was with the best of intentions that the Secretary of State decided not put in a paper. I agreed with him, for the reasons I have already explained; and we thought that the basic issue about the targets was sufficiently understood between colleagues to be capable of discussion without a formal paper in advance. I recognise that in the event this led to a disorderly discussion and an inconclusive result. But we did achieve a useful signalling movement on $CO_2$ targets with was very helpful in stimulating progress at the UNCED PrepCom in New York earlier this month.

3. Secondly, I am not clear why you refer to last year's local authority settlement as an example of a failure of the Department to follow an orderly procedure in relation to collective consideration of policy issues by Ministers. It is true that the cycle of EA(LA) and Cabinet meetings was more compressed than originally planned, but I am aware of no complaint at the time about the circulation or content of papers or about our part in the handling of discussions. Both No.10 and Cabinet Office were fully informed at each step of the tortuous interdepartmental discussions, as we can document and demonstrate. The collective machinery certainly did not work well but I cannot see anything in the record which shows that my Department was at fault. But perhaps you have some very specific incident in mind, if so I would be happy to look into it.

recycled paper

4. Finally, on the East Thames Corridor, there were discussions between DOE and the Cabinet Office at the end of last year on the best way of handling the East Thames Corridor. It was agreed that a presentation to colleagues would be appropriate, accompanied by an annotated agenda and followed by the normal process of Cabinet Committee discussions. My Department's response to the Cabinet Office letter of 13 December asking for details of business likely to come forward before the Easter Recess made it quite clear that there would be an initial ad hoc presentation to Ministerial colleagues under the Prime Minister with the subsequent issues being considered by Cabinet Committee - possibly the GEN Group. Subsequently, of course, the issue has been considered on the political net. My Secretary of State first distributed a draft text to colleagues and then minuted the Prime Minister on 21 February setting out the preliminary decisions he was seeking. He made it clear that these carried no direct resource implications. The request was influenced by the expectation of an imminent announcement of the General Election; it was not intended to pre-empt the proper discussion of options. This will follow when we have received fully considered advice from our consultants on the Corridor and have some indication of the financial implications.

5. I hope that in the light of my comments you will agree that the three instances you have cited do not, in the event, warrant <u>three</u> hard raps over my knuckles - perhaps one! But in any event, I accept of course that we must ensure that Cabinet business proceeds in an orderly way and I have drawn the attention of my senior colleagues to the message in your letter.

6. I am copying this letter to Peter Owen and Andrew Turnbull.

Yours

Jerry

SIR TERRY HEISER

cycled paper

PERSONAL AND CONFIDENTIAL

Mr Turnbull

PM Robin.
You gave you a mandate to be obstruct about insisting on Papers. The PM commented that he had had briefs and presentations twice and that was enough.


**CABINET OFFICE**

**70 Whitehall London SW1A 2AS**
**Telephone 071-270 0101 Fax 071-270 0208**

***From the Secretary of the Cabinet and Head of the Home Civil Service***
**Sir Robin Butler KCB CVO**


Ref. A092/673

5 March 1992

Dear Terry,

In the last few days, we have had two discussions initiated by your Secretary of State at meetings of Ministers, which were based on oral presentations, without papers. I think that most of those present would agree that in neither case was the procedure very satisfactory.

You mentioned to me that, on the issue of carbon dioxide emission targets discussed at GEN 4 on 26 February, you had felt that the circulation of a paper on this subject in advance of the meeting was vulnerable to leaking. In fact, of course, a good deal of leaking took place anyway and the minute which your Secretary of State sent the Prime Minister on 27 February put on paper precisely the points which he could have included in a paper for GEN 4 before the meeting.

Secondly, we had your Secretary of State's presentation yesterday on the East London Corridor. It was unclear whether this was simply to be a presentation or whether Ministers were expected to take decisions. In the event your Secretary of State put proposals to his colleagues about the way forward. In discussion, they did not feel able to go along with them in the absence of indications of potential cost, and the Prime Minister asked your Secretary of State to cover these points in a future paper for EA.

/I think it worth

Sir Terence Heiser GCB
Department of Environment

PERSONAL AND CONFIDENTIAL

PERSONAL AND CONFIDENTIAL

I think it worth writing to you about these two episodes, partly because these incidents, like the one when the local authority settlement was put to Cabinet last summer, have all risen in the DOE field. As I mentioned to you, there has been no record of leakage of papers circulated under CMO classification. I hope therefore that in future you will advise your Secretary of State to give Ministerial colleagues a written paper on which to take major decisions, which should, when necessary, be circulated with CMO protection. I shall in future advise Number 10 and the Economic Secretariat to resist proposals for dealing with issues without such papers.

I am copying this letter only to Peter Owen and Andrew Turnbull.

Yours ever,

Robin

CONFIDENTIAL

CABINET OFFICE
A 12803
14 NOV 1989
FILING INSTRUCTIONS

From: R T J Wilson
14 November 1989

P 03578

SIR ROBIN BUTLER

cc. as before
plus Dep Secs
cc Mr Monger
Mr. Turnbull
FERB
Mr Mawer
Mr Wells
Mr Quilty
Miss Bailey

cc- Mr Appleyard
M. Hadley
M. Fairclough

Mr. Wilson

Many thanks.

Looking down the list of requirements, I don't think that any of them appear unreasonable or unrealistic, except perhaps (ii).

I don't think the best way of reminding Depts is by my mentioning it at Perm. Secs. but perhaps my office should write to Perm Secs offices either to remind about compliance costs, in the light of the recent incident, or with the consolidated list of requirements. Perhaps we could have a word at Dep Secs

FERB 15.11

**COMPLIANCE COST ASSESSMENT**

1. After the meeting of MISC 138 last Thursday I promised to let you have chapter and verse for the requirement that Cabinet Committee papers should include where appropriate a passage about the implications for business of compliance with new proposals. You said that you might wish to remind your Permanent Secretary colleagues about this requirement at a Wednesday morning meeting.

2. I attach a letter of 11 August 1988 from the Prime Minister's private office, copied to all members of the Cabinet, which records a request from the Prime Minister that Ministers should draw attention to the impact which the proposals would have on business in those cases where the question arises. The Prime Minister did not ask for this to be a systematic requirement for every Cabinet and Cabinet Committee paper. But in those cases which raised such issues she wanted Ministers in charge of departments to make sure that this was always clearly spelled out and she asked the Secretary of State for Trade and Industry to alert her to any cases where he felt that this was not being done.

3. The Deregulation Unit of the DTI regard the letter of 11 August 1988 as laying on individual Departments the responsibility for including Compliance Cost Assessments (CCA) in

appropriate papers. Each Department has its own Deregulation Unit, whose job it is to ensure that proposals going to their Ministers take due account of the impact on business.

4. More generally, there is quite an accumulation of rules about the points to which Cabinet Committee papers should draw attention. You may like to glance at the list attached, which is almost certainly not exhaustive. I understand the Treasury have it in mind, once the Survey is out of the way, to recommend the Chief Secretary to circulate a reminder about the need for Treasury clearance of papers.

RTJW

R T J WILSON

## POINTS TO BE COVERED BY CABINET COMMITTEE MEMORANDA

1. **Questions of Procedure for Ministers** lays down the following rules (dates of introduction in brackets).

i. expenditure (1920). Proposals involving expenditure or affecting general financial policy should be discussed with the Treasury before being circulated, and the results of those discussions together with the best possible estimate of the costs to the Exchequer should be indicated in the memorandum.

ii. European Community (1976). Where proposals affect UK obligations or interests as a member of the EC this should be clearly explained.

iii. manpower (1947). If proposals have manpower implications or may give rise to problems of recruitment these should be clearly stated after consultation (in the case of manpower) with the Treasury.

iv. accommodation (1974). Attention should be drawn to any accommodation problems, after consultation with the PSA.

v. legal implications (1967). No memorandum should be circulated unless any legal implications which it raises have been cleared, or at least clarified, with the Law Officers.

vi. judicial review. Memoranda should cover any issues on which there may be a risk of challenge in the Courts by means of judicial review.

2. In addition a number of other requirements have been added in Prime Ministerial correspondence. For instance:

i. impact on business. In August 1988 the Prime Minister asked Cabinet Ministers to draw attention to the impact which proposals would have on business in those cases where the questions arose.

ii. policy evaluation. It was laid down in 1985 that all proposals with value-for-money implications should state what is to be achieved, when by, and at what cost, and how this achievement is to be measured (unless it has been agreed with the Treasury that the circumstances are exceptional).

iii. presentational aspects of Government policy. In December 1985 the Prime Minister asked the Cabinet Office to pay particular attention to presentational requirements in clearing papers for circulation.

iv. impact of European Convention on Human Rights. The Cabinet Documents Officers' handbook stipulates that all Cabinet or Cabinet Committee memoranda should include an assessment of the impact of the European Convention on Human Rights on the proposals, if any.

v. statistics. In 1942 the Prime Minister (Mr Churchill) ruled that in statistical tables the totals should be shown at the right-hand side or at the bottom of the page.

Cabinet Office
14 November 1989

CC Mr Nelson

CABINET OFFICE
A 8699
11 AUG 1988
FILING INSTRUCTIONS
FILE No. .....

10 DOWNING STREET

LONDON SW1A 2AA

c (2) Mr Nelson O.R.

(1) M. Wells
12/8.

*From the Principal Private Secretary*

11 August 1988

Dear Neil

DEREGULATION INITIATIVE

The Prime Minister was grateful to your Secretary of State for his minute of 26 July.

She agrees about the continuing importance of the deregulation initiative and the need for co-ordination by an Enterprise and Deregulation Unit in your Department. However, she understands that the Unit now contains around 30 people, costing over £800,000 a year. She believes that the main responsibility for action must rest with Departments and their Ministers, and that the role of the Unit should now be to monitor and report on progress and draw attention to areas where there is scope for doing more. She suggests that your Secretary of State should review the present size of the Unit and the scope for slimming it down to a small team which would concentrate on this role. The Prime Minister also feels that a further three years is too long for the continued existence of the Unit and wishes it to be reviewed again in eighteen months' time.

The Prime Minister also agrees with your Secretary of State's proposal that Departments should carry out a rolling programme of reviews, on the understanding that this will not cut across or divert resources from efficiency scrutinies. To avoid confusion with efficiency scrutinies, the word "review" rather than "scrutiny" should be used for this activity. Given the constraints on the legislative programme, she hopes that Departments will pay especial attention to what can be achieved through the reform of regulations and administrative practice, particularly where it seems unlikely that a legislative slot can be found for a particular proposal.

On Cabinet papers, the Prime Minister thinks that it is very important that Ministers should draw attention to the impact which proposals would have on business in those cases where the question arises. She does not think that this needs to be a systematic requirement for every Cabinet and Cabinet Committee paper: by no means all such papers have implications for business and the requirement for a statement in every paper would be bureaucratic and increase the amount Ministers have to read, in most cases unnecessarily. But in those cases

which do raise such issues, she would be grateful if Ministers in charge of Departments would make sure that this is always clearly spelled out. She would also be grateful if your Secretary of State and the Chancellor of the Duchy of Lancaster would alert her to any cases where they feel that this is not being done.

I am copying this letter to the Private Secretaries to members of the Cabinet and of MISC 133, and to Sir Robin Ibbs and Sir Robin Butler.

pp N. L. WICKS

Neil Thornton, Esq.,
Department of Trade and Industry.

The National Archives

| DEPARTMENT/SERIES PREM19<br>PIECE/ITEM 5149/1<br>(one piece/item number) | Date and sign |
|---|---|
| Extract details:<br>Minute from Wicks to Butler dated 15 April 1988 | X |
| CLOSED UNDER FOI EXEMPTION ..... | |
| RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958 | |
| TEMPORARILY RETAINED | 11/4/19 |
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| DOCUMENT PUT IN PLACE (TNA USE ONLY) | |

## *Instructions for completion of Dummy Card*

Use black or blue pen to complete form.

Use the card for one piece or for each extract removed from a different place within a piece.

Enter the department and series,
eg. HO 405, J 82.

Enter the piece and item references, .
eg. 28, 1079, 84/1, 107/3

Enter extract details if it is an extract rather than a whole piece.
This should be an indication of what the extract is,
eg. Folio 28, Indictment 840079, E107, Letter dated 22/11/1995.
Do not enter details of why the extract is sensitive.

If closed under the FOI Act, enter the FOI exemption numbers applying to the closure, eg. 27(1), 40(2).

Sign and date next to the reason why the record is not available to the public ie. Closed under FOI exemption; Retained under section 3(4) of the Public Records Act 1958; Temporarily retained; Missing at transfer or Number not used.

The National Archives

| DEPARTMENT/SERIES PREM 19<br>PIECE/ITEM 5149/1<br>(one piece/item number) | Date and sign |
|---|---|
| Extract details:<br>minute from Butler to Wicks dated 14 April 1988 | X |
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| | CST | NIO |
| | DOT | DES |
| | LPO | FRO |
| | HMT | LCO |
| | | HO |

dg

CONFIDENTIAL

10 DOWNING STREET

LONDON SW1A 2AA

*From the Principal Private Secretary*

9 April 1987

Dear Private Secretary,

**INSTRUCTIONS ON THE PREPARATION OF CABINET PAPERS**

Paragraph 1.4 of the Handbook for Cabinet Documents Officers says that proposals involving expenditure or affecting general financial policy should be discussed with the Treasury before being submitted to the Cabinet or to a Ministerial Committee; and the results of those discussions together with the best possible estimate (or estimates, if the Department's figures cannot be reconciled with the Treasury's) of the cost to the Exchequer, should be indicated in the memorandum.

The Prime Minister has asked me to repeat that she attaches great importance to these instructions, which apply to papers for informal Ministerial meetings as well as to papers for the Cabinet or Cabinet Committees. She hopes that Ministers will ensure that they are carried out in all cases. She has made it clear that, where they are not, the Cabinet Office should not normally accept a memorandum for circulation.

In some recent cases, Ministers seeking decisions on proposals which would normally have been contained in papers for collective consideration have instead put them forward in minutes addressed to the Prime Minister and copied to other Ministers. These minutes, even though they had financial implications, had not been discussed with the Treasury, as would have been required by the instructions had they been papers. The Prime Minister has therefore asked me to say that matters for consideration by Cabinet Committees (and a fortiori by Cabinet itself) should be circulated as Committee papers; and that, if for any reason they are circulated as minutes addressed to her and copied to other Ministers, they should be regarded as subject to the requirements set out in paragraph 1.4 of the Handbook just as if they were papers.

I should be grateful if you would draw this letter to the attention of all those in your Department who might prepare such papers or minutes.

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

Yours ever,
Nigel Wicks

N L WICKS

The Private Secretary

CONFIDENTIAL

Prime Minister
Agree I should write as over?
N.L.W
8.4

Ref. A087/1044

MR WICKS

Instructions on the Preparation of Cabinet Papers

As you may know, there was some discussion in the margins of the E(A) meeting on 19 March about the failure of the Ministry of Defence to consult the Treasury before minuting the Prime Minister about an increase in ECGD cover for the contract for the sale of frigates to Pakistan. Sir Robert Armstrong considers that there would be merit in reminding Departments of the rules about prior discussion with the Treasury of the financial implications of proposals which are put to Ministers for decision. The standing instructions in the Handbook for Cabinet Documents Officers relate specifically to proposals for submission to Cabinet or to a Ministerial Committee, and Sir Robert Armstrong suggests that they should be considered to apply equally to minutes addressed to the Prime Minister and copied to other Ministers. For this reason, you may consider it more appropriate for you, rather than Sir Robert Armstrong, to circulate a minute to the offices of Cabinet Ministers, and I attach a draft, agreed by Sir Robert Armstrong, to this end.

Trevor Woolley

T A WOOLLEY

8 April 1987

DS2AAQ

DRAFT LETTER FROM MR WICKS TO THE PRIVATE SECRETARIES TO ALL CABINET MINISTERS

Paragraph 1.4 of the Handbook for Cabinet Documents Officers says that proposals involving expenditure or affecting general financial policy should be discussed with the Treasury before being submitted to the Cabinet or to a Ministerial Committee; and the results of those discussions together with the best possible estimate (or estimates, if the Department's figures cannot be reconciled with the Treasury's) of the cost to the Exchequer, should be indicated in the memorandum.

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I should be grateful if you would draw this letter to the attention of all those in your Department who might prepare such papers or minutes.

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

file D85

bc: Pdg. Griffiths.

10 DOWNING STREET

*From the Principal Private Secretary*

MR. WOOLLEY

CABINET OFFICE

Thank you for your note of 6 November in which you propose to circulate to Private Secretaries to Cabinet Ministers a reminder of a number of points concerning the submission of Cabinet Committee memoranda.

I am content for the draft letter attached to your minute to be circulated.

N. L. Wicks

7 November 1986

Ref. A086/3183

MR WICKS

I mentioned to you recently our proposal to circulate to Private Secretaries to Cabinet Ministers a reminder of a number of points concerning the submission of Cabinet and Cabinet Committee memoranda, in particular to stress the "seven day rule", the violation of which causes particular difficulties for the Scottish, Welsh and Northern Ireland Offices. It would be most helpful in this context to quote the Prime Minister's support (which I understand she has expressed orally) for the timely circulation of papers.

--- 2. I attach the draft letter which I intend to send, and should be most grateful to know that you are content for it to be issued.

Trevor Woolley

T A WOOLLEY

6 November 1986

DRAFT PRIVATE SECRETARY LETTER FROM T A WOOLLEY ESQ

Dear Private Secretary,

Ministerial Correspondence and Memoranda for Cabinet and Cabinet Committees

As the new Session gets under way Private Offices may find it useful to be reminded of a number of points concerning the submission of Cabinet and Cabinet Committee memoranda and the circulation of Ministerial correspondence.

Memoranda for Cabinet and Cabinet Committees

The Prime Minister has asked that Departments should ensure that, save in the most exceptional circumstances, all memoranda for Cabinet or Cabinet Committees are circulated at least seven days in advance of the meeting at which they are to be discussed. This is necessary to allow Ministers sufficient time to read, digest and to be properly briefed on memoranda. It is particularly important for Ministers in the Scottish, Welsh and Northern Ireland Offices who spend large amounts of time out of London.

This and other guidance on the preparation of business for Cabinet and Cabinet Committees is contained in Questions of Procedure for Ministers C(P)(83) 5. In addition, this office is of course always ready to answer any questions you may have on these procedures.

Ministerial Correspondence

a. Wherever possible, Ministerial correspondence should be given a title; this makes correspondence easier to identify.

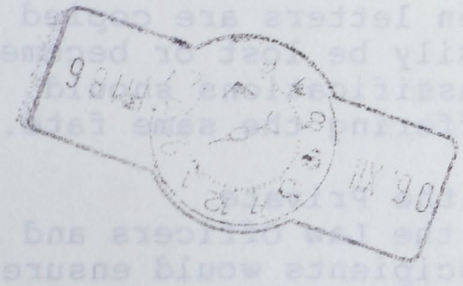
b. When the subject of Ministerial correspondence has any Parliamentary implications Private Offices should ensure that it is copied to the Chief Whip's Office, even when the subject concerns a Cabinet Committee of which the Chief Whip is not a member.

/c. It would be

c. It would be helpful if Private Offices could ensure that the names of originators and copy addressees are clearly marked on correspondence. When letters are copied and recopied many times, names can easily be lost or become faded into illegibility. Security classifications should similarly be marked to avoid their suffering the same fate.

I am sending copies of this letter to the Private Secretaries to all members of the Cabinet, the Law Officers and the Chief Whip. I should be grateful if recipients would ensure that this information is made available to all concerned within their Departments.

(Signed) T A WOOLLEY



CONFIDENTIAL

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

1 October 1986

Dear Richard,

## CONDUCT OF H COMMITTEE BUSINESS

You may remember that the Lord President wrote to the Lord Chancellor on 2 November 1983 about the handling of H Committee business by correspondence, and that my predecessor issued a reminder in November 1984. The Lord President thought that this would be a convenient moment to repeat and supplement that guidance, and to add some comments about representation at meetings.

Correspondence

The Lord President is keen that the arrangement for dealing with less important H business by correspondence should be used to the full, but he emphasises that it is important both that recipients of correspondence are given adequate time to respond, and that Ministers seeking clearance in correspondence are not unreasonably held up by delays in replying. In normal circumstances therefore, letters seeking policy approval should give at least ten working days (that is, normally two calendar weeks, but longer if there are intervening public holidays and preferably longer during Parliamentary adjournments) for comment. Recipients should aim to reply within this period. The Lord President as chairman will then write with the Committee's overall conclusion as soon as possible after the closing date; his silence should not be taken to imply consent.

It may sometimes be necessary to seek approval in less than ten days, but only in the most exceptional circumstances should approval be sought in five days or less. Letters seeking an early response should always explain the reason, and in these cases the originating department should alert the Cabinet Office (Miss Mulligan 233 7665) by telephone when the letter is despatched and agree with her which departments are known to have an interest in the correspondence. As the deadline approaches, the originating department should then contact these departments, establish whether they intend to reply, and inform Miss Mulligan, who will arrange for this office to be advised.

Richard Stoate Esq

CONFIDENTIAL

All H Committee correspondence should, as a matter of course, be addressed to the chairman and copied to the Minister of State, Privy Council Office and the Secretary of the Cabinet as well as to all members of the Committee. Up-to-date lists of Committee membership are periodically issued by the Cabinet Office. Care should be taken to ensure that copies also go to other Ministers in charge of Departments and to the Law Officers when their interests are concerned or when their advice might be sought. The interest of the Prime Minister in appropriate cases should not be overlooked. Where the content of legislation is concerned, a copy should go to First Parliamentary Counsel or the First Parliamentary Draftsman (Scotland).

Representation at Meetings

The Lord President appreciates that members cannot always attend every meeting. However, the Secretariat try to arrange meetings to suit as many members as possible, and especially those with a strong interest in the business in question. Where a member cannot attend, the Lord President would only wish a substitute to be nominated if there is a clear departmental interest in the business. On some occasions, for example if the negotiations on a topic under discussion have been conducted by a junior Minister, a member of the Committee may wish to be accompanied at a meeting by a junior colleague from his own department, and the Lord President is content with that arrangement in appropriate cases. Non-members of the Committee should, however, speak only to those items for which they have been invited. Where possible the agenda will be arranged to facilitate their leaving at the end of the relevant item, which is the practice that the Lord President prefers.

I am sending a copy of this letter to the Private Secretaries to the Prime Minister, the members of H Committee, other Ministers in charge of Departments, the Attorney General, the Lord Advocate, First Parliamentary Counsel and Sir Robert Armstrong.

Yours sincerely

Joan.

JOAN MACNAUGHTON
Private Secretary

Mr Powell

CONFIDENTIAL

CABINET OFFICE

70 Whitehall London SW1A 2AS Telephone 01-233 8339

P 02041

W F Mumford Esq
Ministry of Defence
Main Building
Whitehall
LONDON SW1A 2HB

2 May 1986

Dear Bill,

MISC 110

Thank you for your letter of 30 April.

2. I fear that I had already authorised circulation of the draft note to MISC 110, with a covering note by myself. You will see in the latter my views on future handling, and my assurance that a further meeting of MISC 110 can be arranged if necessary.

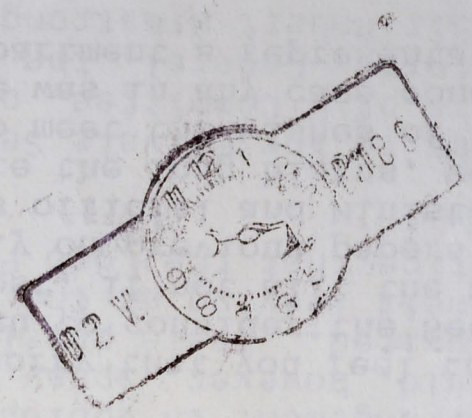
3. I am sorry that you feel that you do not have sufficient time in which to consider the Secretariat draft. I think you will find that most, if not all, the material is familiar, and indeed draws heavily on previous papers supplied by you and others and on the previous official and Ministerial discussions. As for the date, despite the long hiatus, we must press forward quickly now if we are to meet the wishes of the Chairman of E(RD); and the precise date was in any case conditioned by the availability of your own Department's representatives.

4. I look forward to seeing you and hearing your views at the discussion next Wednesday.

5. Copies to the other members of MISC 110.

Yours ever,

J B UNWIN



VFM

Mr Powell (a)
Mr Norgrove
Mr Fletcher
Mr Anderson

PL note x.

N.L.W.

9.12

H M Treasury

Parliament Street London SW1P 3AG

Switchboard 01-233 3000

Direct Dialling 01-233 .....

F E R Butler
Second Permanent Secretary
Public Expenditure

Sir Robert Armstrong, GCB, CVO,
Cabinet Office,
70 Whitehall,
LONDON, SW1

6th December, 1985.

Dear Robert, with NLW?

As you know Nigel Wicks wrote round to all private offices on 1st December emphasising the importance which the Prime Minister attaches to the instructions in paragraph 1.4 of the Handbook for Cabinet Documents Officers about clearing Cabinet and Cabinet Committee papers with the Treasury.

2. We are consequently having a drive on this, and I wondered if I might ask you to take the opportunity of a Thursday meeting with the Heads of Secretariats to ask the Secretariat to help us in insisting that this rule is applied. A recent example when it was not was OD(85)27, "British Policy towards UNESCO". In this case the Treasury had no objection to the contents, but we had not been given the chance to say so.

X 3. Since the Prime Minister's comments were also applied in Nigel's letter to papers put to informal collective Ministerial meetings, perhaps Nigel would similarly ask other private secretaries in No.10 if they would be sure to keep a similar watch on papers circulated for informal meetings chaired by the Prime Minister. When there is time, I have asked that private offices here should be alerted to warn their opposite numbers at No.10 when a paper circulated for one of the Prime Minister's meetings has not been cleared with the Treasury as required by the rules, but it would help if the No.10 private secretaries were themselves on the lookout for such cases.

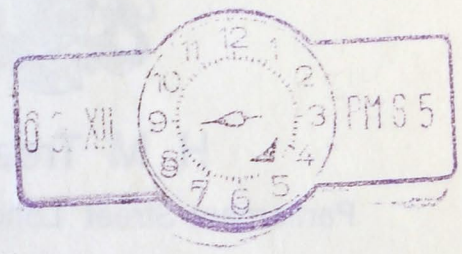
4. I have copied this letter to Nigel Wicks.

Yours ever,

Robin

F. E. R. BUTLER

Cabinet doors cleaned with Hunt.



Covering CONFIDENTIAL

CAB
DOC FILE

Miss Holt

Sue.

Ref the attached documents

Following discussion with Debbie and Jimmy Robertson, Cabinet Office, I have established that:

a) copies 4, 5, 6 and 7 were despatched direct to Peter Warry. Jimmy R is taking action this end to ensure there is no repetition of this mistake.

b) No 10 copies are now 4, 5, 6 & 7 and not, as previously, 2, 3, 4 and 5.

c) Peter Warry has returned copy no 4. I have asked Debbie to ensure this copy is sent to you for registration and the attached attachment of the green cover

Thank you for bringing this matter to my attention. I hope those who erred have learned their lesson!

Peter

5 December 1985

FILE

**PRIME MINISTER**

In case Mr. Heseltine buttonholes you, you should know that Sir Robert Armstrong has refused to let him see certain E(LF) papers, some of which were given a very restricted circulation indeed - No.10, Chancellor and Mr. Baker. Robert has told Mr. Heseltine's office that he would need to seek your permission before releasing the papers.

No need for any decision at this stage. Just to warn you.

(N.L. WICKS)

3 December 1985

PERSONAL AND CONFIDENTIAL FILE DA

# 10 DOWNING STREET

*From the Principal Private Secretary*

SIR ROBERT ARMSTRONG

Thank you for your minute (Ref. A085/3102) of 29 November about the Secretary of State for Defence's request for sight of E(LF) papers.

I agree that you should proceed as you suggest in paragraph 8 of your minute and tell Mr. Heseltine's Private Secretary that you would need to seek the Prime Minister's authority for the release of the papers to him. I will warn the Prime Minister of Mr. Heseltine's interest in case he tries to buttonhole her.

I return the papers which were attached to your minute.

(N.L. WICKS)

3 December 1985

PERSONAL AND CONFIDENTIAL

PERSONAL AND CONFIDENTIAL

NLW replied 3/12

Ref. A085/3102

MR WICKS

Following the discussion of the Social Security Review at yesterday's Cabinet, the Secretary of State for Defence (who was formerly Secretary of State for the Environment) has asked whether he can see some of the actual E(LF) reports on Local Government Finance Studies. In particular, he would like to see the minutes of recent meetings.

2. There have been 5 meetings of the Committee in the last 6 months: on 20 May, 23 September, 3 October, 4 November and 12 November. The minutes of the first and third of these meetings were given a very restricted circulation indeed: apart from No 10, they were copied only to the Chancellor of the Exchequer and to the Secretary of State for the Environment.

3. The meetings on 23 September and 12 November were also given a restricted circulation, though the circulation was less restricted than the first two.

4. Only the minutes of the meeting held on 4 November were given the standard circulation.

5. I do not think that the Secretary of State for Defence should see minutes of the meetings held on 20 May and 3 October: not even the other members of E(LF) have had those.

6. As to the minutes of the meetings on 23 September and 12 November, to make them available to the Secretary of State for Defence would be to give him an advantage over other Cabinet colleagues who are not members of E(LF). We could let him have copies on a "see and return" basis, but I expect that he would make copies of them if we did.

7. Under the rules it would be difficult to deny him a copy of the minutes of the meeting on 4 November, though it hardly makes sense to give him only one of the series.

8. My inclination would be to say to his Private Secretary that the minutes in question were given a very restricted circulation, on a "need to know" basis, and I should need to seek the Prime Minister's authority for their release to him. Before I put you in that spot, however, I should be grateful to know if you would be content. In favour of keeping the papers back from him is the fact that, if we release them to the Secretary of State for Defence, we shall have to release them also to any other Cabinet Minister who asks (for instance, the Secretary of State for Energy, who has the same sort of claim as a former Secretary of State for the Environment). In favour of releasing copies to him is the thought that, if we do not make them available, he will probably succeed in obtaining them from the Secretary of State for the Environment.

--- 9. I attach copies of the papers in question. I would be grateful if you could return the papers in due course.

returned 3/12.

MS

for ROBERT ARMSTRONG

29 November 1985

RESTRICTED

cc Garden Rooms

Foreign and Commonwealth Office

London SW1A 2AH

25 March 1985

Dear Richard,

E(A)

There have been a number of occasions in the last few months when letters on subjects of interest to the FCO circulated to members of E(A) have not been copied to us. This has sometimes caused us problems.

I should be most grateful if those to whom this letter is copied could bear in mind the need for the FCO to be included on E(A) circulations, wherever appropriate.

I am copying this letter to all Private Secretaries to members of Cabinet.

Yours ever,

Peter Ricketts

(P F Ricketts)
Private Secretary

Richard Hatfield Esq
Cabinet Office
Whitehall

RESTRICTED

26 MAR 1985

CONFIDENTIAL

cc L

Foreign and Commonwealth Office

London SW1A 2AH

CDS 1577.

10 July, 1984

Dear Richard,

Circulation of Ministerial Correspondence: Hong Kong

Thank you for your letter of 4 July.

We have noted all the points you have made, and shall do our utmost to comply more closely with your requirements in future. You will appreciate, however, that we are dealing with a diplomatic negotiation of great pace and complexity; that each move has to be the subject of precise consultation with the Peking Embassy and the Hong Kong Government; that the Hong Kong Executive Council also has a role to play in advising the Governor; and that crowded programmes of Ministerial travel make it difficult to fit in the direct consultation with our Ministers that is frequently necessary before our papers can be prepared. In all these circumstances I fear that we may still sometimes fall short of the ideal.

I am copying this to Charles Powell (No 10).

Yours ever,

Len Appleyard

(L V Appleyard)
Private Secretary

R P Hatfield Esq
Cabinet Office

CONFIDENTIAL

10 JUL 1984

Hear, hear

PRIN PS
PS FCO
PS TCY
PS PARLY
PS HOME
PS DIARY


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


PS(84) 12

5 July 1984

Dear Private Secretary,

Copying of Ministerial Correspondence

A number of offices have commented recently on the difficulties that can be caused by the use of imprecise or complex formulae to indicate copy recipients of Ministerial correspondence. Examples include the common "I am copying this letter to the recipients of yours" and even "to the recipients of X's letter to Y, and to Z". In a long correspondence, it can be particularly difficult to establish just who has had a copy of which letter. Similar difficulties can arise for Cabinet Commitees in the MISC series or for ad hoc groups where there is no formal membership. Apart from the inconvenience and unnecessary work that can be caused, this practice is not conducive to good security, particularly of sensitive documents.

Ministerial correspondence should always indicate clearly to whom copies are being sent, by name or by office, or by membership of a formally constituted Committee. Where copies of correspondence are sent to "members of X Committee" it should, of course, be standard practice to add an appropriate addressee representing the Cabinet Office.

Copies of this letter go to Private Secretaries of all Ministers.

Yours sincerely,

(Signed) R P HATFIELD

CONFIDENTIAL

EDP


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. A084/1897

4 July 1984

Dear Len,

Circulation of Ministerial Correspondence

You will not be surprised to learn that we have received complaints about the short time available for consideration of the papers taken at the meeting of OD(K) last week. Two of the papers, both of them long and complex, were circulated within 36 hours of the planned time of the meeting and arrived after the Prime Minister had departed for the European Council meeting at Fontainebleau, a commitment of which all concerned were aware some weeks ago. As a result there was no time for these papers and associated briefs to be read by the Prime Minister and the meeting had to be postponed at short notice by 24 hours.

Similar difficulties arose earlier in the year, and action was taken then to remind those concerned of the rule that papers for consideration by Ministerial Committees should be circulated seven days in advance in order to allow the Prime Minister and other Ministers adequate time to consider the papers and to receive briefing from officials. There is also ample recent evidence that last minute circulation of papers on complex and difficult issues such as those considered at last week's OD(K) is a recipe for an unsatisfactory discussion.

Although the nature of the subject matter sometimes makes the strict application of the seven-day rule unrealistic and a constantly changing situation, such as the negotiations on Hong Kong, can create special difficulties, it is difficult to see why in this case the papers could not have been circulated in a timely way. We have also noted a tendency to circulate papers in the form of copies of minutes to the Prime Minister

/(sometimes

L V Appleyard Esq

CONFIDENTIAL

(sometimes with voluminous annexes); it would have been better if the papers for recent OD(K) meetings had been summarised in economically drafted memoranda of the usual Cabinet Committee form.

It would be helpful if you would seek to ensure that the usual rules on circulation and format are adhered to wherever possible. The next meeting of OD(K) had been arranged for 17 July, which should allow sufficient time following the Foreign and Commonwealth Secretary's discussions this week with the Governor of Hong Kong and HM Ambassador at Peking for the circulation of papers in memoranda form by Wednesday 11 July.

I am sending a copy of this letter to Charles Powell at No.10 and to Michael Jay in your own Department.

Yours

(R P Hatfield)
Private Secretary

File.

RESTRICTED

1. MR BARCLAY
2. MR EWING

CABINET DOCUMENTS - DISTRIBUTION

You will recall that before his departure Steve Geary suggested that the number of copies of Cabinet documents sent to No.10 could be reduced if certain officers were prepared to share rather than receive individual copies. A copy of Geary's proposals is attached. (I do not know the significance of the marks I have circled in red. They were on the list when I received it).

Not for file copy

Consequent upon my discussions of these proposals with the officers concerned ~~Following~~ will you please ask the Cabinet Office to make the following changes to their distribution lists:

(a) delete the following names from all lists:

(i) Mr. D. Wolfson
(ii) Sir Alan Walters
(iii) Mr. S. Sherbourne

(b) delete Mr. Alison's name from the E(DL); E(PSP); E(TP) and EX lists.

(c) delete Mr. Redwood's name from the OP; OP(NI) and OP(PS) lists.

(d) delete Mr. Owen's name from the OD(T) list.

As a result of the foregoing will you please arrange that:

(a) in those cases where Mr. Ingham and Sir Alan originally received individual copies of the same Committee documents, Mr. Ingham's copy is marked to be passed to Sir Alan after Mr. Ingham has seen it. However in the case of C/CC documents the order should be Mr. Ingham, Mr. Wolfson and Sir Alan.

(b) OD(T) documents sent to Mr. Ingham ~~should~~ are also ~~be~~ marked to Mr. Owen.

(c) Committee documents sent to Mr. Alison ~~should~~ are also ~~be~~ marked to Mr. Sherbourne.

(d) OP; OP(NI) and OP(PS) documents sent to Mr. Owen ~~should~~ are also ~~be~~ marked to Mr. Redwood.

You will note the proposal that Mr. Owen should share a copy of C(P);OD;OD(E) and MISC 24 documents has not been accepted. However, Mr. Redwood has agreed that Cabinet documents shown on the attachment as being sent direct to Mr. Owen should be sent through Confidential Filing like other Cabinet documents.

Will you please arrange.

P.S. Joce
7 February, 1984

MJ

SIR ROBERT ARMSTRONG

The Prime Minister has seen your minute of 30 June (A083/1901) about Cabinet and Cabinet Committee papers for Lord Gowrie, and is content with what is proposed.

FERB

1 July 1983

C10

Prime Minister

Content with this? x/ would be consistent with what you said to Lord Gowrie when you appointed him.

FERS 30.6.

Ref. A083/1901

MR BUTLER

Yes MB

Now that the Minister in day-to-day charge of the Cabinet Office (MPO) is not in the Cabinet, we should provide for him to receive copies of certain Cabinet and Cabinet Committee papers which are not subject to special restrictions on circulation. I am proposing to add him to the list for papers and minutes of

This is the larger Economic Committee, not the small one.

— Cabinet
Economic Affairs E(A)
Local Government Finance E(LA)
Public Sector Pay E(PSP) (of which Lord Gowrie is a member)
Nationalised Industries E(NI)
Disposals Policy E(DL)
Home Affairs H
Legislation L

2. This distribution should ensure that Lord Gowrie sees papers in which Cabinet Office (MPO) might have a Departmental interest, and (in view of his duties as a Lords spokesman in economic affairs) x/ papers on collective discussion of economic issues.

RCA

ROBERT ARMSTRONG

30 June 1983

Cabinet

10 DOWNING STREET

*From the Principal Private Secretary*

SIR ROBERT ARMSTRONG

The Prime Minister has asked that particular care should be taken with the circulation of papers issued from 10 Downing Street and the Cabinet Office. I attach, for your personal information, a copy of an Office Notice which I have issued in this office.

The Prime Minister has asked you to see that the Cabinet Office takes similar precautions. She would in particular wish you to consult her personally on the circulation of any papers or minutes related to Cabinet or Ministerial Cabinet Committees about which you are in doubt and to restrict circulation of sensitive papers to the private offices of Ministers.

F.E.R.B.

8 November 1982

# O F F I C E  N O T I C E

The Prime Minister has instructed that particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Papers containing substantive discussion of matters of policy should be circulated outside this Office only on the instructions of the relevant Private Secretary, whose responsibility it is to seek the Prime Minister's express authorisation of the terms on which they should be circulated. Papers on sensitive policy issues should go only to the private offices of Ministers and no further. In all cases care should be taken with drafting in case the document should become public.

The Prime Minister has additionally instructed that transcripts of her press conferences should only go to departments directly concerned with the subject matter. Transcripts of telephone conversations must not leave this Office.

F.E.R.B.

8 November 1982

ROBIN

With regard to the office circulation of the notice: I attach the general list of people to whom general notices go but obviously not in this case.

I have ticked those to whom I would think you would wish to send it: perhaps you could confirm these.

Yes pl.

It is usual to send a notice to one section, i.e. the policy unit, who should then circulate it within the section. But perhaps to be sure you would like to send it to each individual separately?

Yes pl. Inc. to all Private Secretaries and all in Policy Unit

8/11

# OFFICE LIST FOR CIRCULATION

Garden Rooms
Political Office
Honours
Confidential Filing
Correspondence
~~Miss Dover~~, Miss Eves, Mrs Cross, Mrs Smith
Private Office
Questions and ~~Mr Rylands~~ Joce
Press Office

~~Messengers~~
~~Mr Taylor, Mr Yandle~~
~~No 11*~~ )
~~No 12*~~ ) Check on each occasion before sending copies to Nos. 11 and 12.
~~Cleaners~~*
~~Detectives~~
~~Front Hall~~
~~Drivers~~

Appointments
Policy Unit
Mr Walters (Mrs. Padwick)

~~Mrs Goodchild~~
~~Miss Robilliard~~
~~Telephone Room~~

Mr Mount
Mr Monckton
Adrian Smith
John Vereker
Peter Shipley

~~* can be given to Mr Yandle to deliver~~

7/12

10 DOWNING STREET

Prime Minister

You asked to see this when typed up.

I confess to having used the phrase "the minimal necessary" where you put "minimal" in the first sentence of the last paragraph. I hope that this is all right?

I suggest that the last sentence could be omitted. The point is covered by the second paragraph.

FERB

5.11.

PRIME MINISTER

## CIRCULATION OF DOCUMENTS

I am sorry to come back to you on this. May I suggest a further drafting amendment so that the restriction to Ministerial Private Offices applies to papers about sensitive issues of policy. There are a great many purely routine letters and records which issue from this Office which are not in any way sensitive but which people in departments need to see and operate on. An example is the record of your meeting today with the Group of Ten from the construction industry. It really would be very troublesome for departments if people could only consult all such routine documents by visiting Ministerial Private Offices.

I attach clean copies and also the original drafts so that you can see the amendments I have made. Would you be content with them in this revised form?

F.E.R.B.

But I am equally concerned about the wholesale issue of records of meetings. We do not need them. Only the action points.

15 October 1982

We must have a word
MS.

DRAFT

# O F F I C E  N O T I C E

The Prime Minister has instructed that, ~~following recent incidents~~, particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Papers containing substantive discussion of matters of policy should be circulated outside this Office only on the instructions of the relevant Private Secretary, whose responsibility it is to seek the Prime Minister's express authorisation of the terms on which they should be circulated. Papers on sensitive policy issues should go only to the private offices of Ministers and no further. In all cases care should be taken with drafting in case the document should be leaked.

The Prime Minister has additionally instructed that ~~unedited~~ transcripts of her press conferences ~~or telephone conversations~~ should ~~not be circulated outside the Office at all~~ only be given the necessary minimum circulation.

Transcripts of telephone conversations must not be circulated. If necessary a summary of the relevant points may be given wider circulation.

DRAFT

# O F F I C E  N O T I C E

The Prime Minister has instructed that, following recent incidents, particular care should be taken with the circulation given to papers issued from 10 Downing Street.

~~Replies to correspondence from other Ministers and their Private Secretaries, records of meetings and requests for briefing should be given the minimum circulation operationally necessary and~~ In all cases care should be taken with drafting ~~with an eye to potential embarrassment if~~ the document ~~were~~ leaked.

Papers containing substantive discussion of ~~sensitive~~ matters of policy should be circulated outside this Office only on the instructions of the relevant Private Secretary, whose responsibility it is to seek the Prime Minister's express authorisation ~~in case of any doubt~~.

The Prime Minister has additionally instructed that unedited transcripts of her press conferences or telephone conversations should not be circulated outside the Office.

DRAFT

SIR ROBERT ARMSTRONG

~~Following recent incidents~~, the Prime Minister has asked that parcicular care should be taken with the circulation of papers issued from 10 Downing Street and the Cabinet Office. I attach, for your personal information, a copy of an Office Notice which I have issued in this office.

The Prime Minister has asked you to see that the Cabinet Office takes similar precautions. She would in particular wish you to consult her personally on the circulation of any papers or minutes related to Cabinet or Ministerial Cabinet Committees about which you are in doubt, ~~The purpose is to restrict~~ and to restrict circulation of ~~should be restricted~~ sensitive papers to the private offices of Ministers.

DRAFT

SIR ROBERT ARMSTRONG

Following recent incidents the Prime Minister has asked that particular care should be taken with the circulation of papers issued from 10 Downing Street and the Cabinet Office. I attach, for your personal information, a copy of an Office Notice which I have issued in this office.

The Prime Minister has asked you to see that the Cabinet Office takes similar precautions. She would in particular wish you to consult her personally on the circulation of any papers or minutes related to Cabinet or Ministerial Cabinet Committees about which you are in doubt. The purpose is to restrict circulation of sensitive papers to the minimum number of Ministers.

L

# O F F I C E  N O T I C E

The Prime Minister has instructed that, following recent incidents, particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Replies to correspondence from other Ministers and their Private Secretaries, records of meetings and requests for briefing should be given the minimum circulation operationally necessary and in all cases care should be taken with drafting with an eye to the potential embarrassment ~~to the Prime Minister~~ if the document were leaked. Papers containing substantive discussion of sensitive matters of policy should not be circulated without the Prime Minister's express authorisation, which should be obtained through the relevant Private Secretary.

The Prime Minister has additionally instructed that unedited transcripts of her press conferences or telephone conversations should not be circulated outside the office.

DRAFT

SIR ROBERT ARMSTRONG

Following recent incidents the Prime Minister has asked that particular care should be taken with the circulation of papers issued from 10 Downing Street and the Cabinet Office. I attach, for your personal information, a copy of an Office Notice which I have issued in this office.

The Prime Minister has asked you to see that the Cabinet Office takes similar precautions. She would wish in particular you to consult her personally on the circulation of any papers or minutes related to Cabinet or Ministerial Cabinet Committees about which you ~~were~~ are in doubt. ~~particularly papers not cleared for circulation by another Minister.~~

# O F F I C E  N O T I C E

The Prime Minister has instructed that particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Papers containing substantive discussion of matters of policy should be circulated outside this Office only on the instructions of the relevant Private Secretary, whose responsibility it is to seek the Prime Minister's express authorisation of the terms on which they should be circulated. Papers on sensitive policy issues should go only to the private offices of Ministers and no further. In all cases care should be taken with drafting in case the document should ~~be leaked.~~ become public

The Prime Minister has additionally instructed that transcripts of her press conferences should only ~~be given the minimal necessary circulation~~ go to departments directly concerned with the subject matter. Transcripts of telephone conversations must not ~~be circulated~~. leave this Office. ~~[If necessary a summary of the relevant parts may be given minimal circulation.]~~

F.E.R.B.

10 DOWNING STREET

Prime Minister

I attach :-

i. a draft office notice to this office;

ii. a draft minute to Sir R. Armstrong;

to implement the instruction you gave me on circulation of papers. Are you content with them?

I have asked themselves whether they are damaging if they were themselves to leak, and have tried to ensure that they would not be embarrassing. I also believe that the risk of leaks from this Office is small.

DRAFT

# O F F I C E  N O T I C E

The Prime Minister has instructed that, following recent incidents, particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Replies to correspondence from other Ministers and their Private Secretaries, records of meetings and requests for briefing should be given the minimum circulation operationally necessary and in all cases care should be taken with drafting with an eye to the potential embarrassment if the document were leaked. Papers containing substantive discussion of sensitive matters of policy should ~~not~~ be circulated outside this office only on the instructions of the relevant Private Secretary, ~~without the Prime Minister's express authorisation, which should be obtained through the relevant Private Secretary.~~ whose responsibility it is to seek the Prime Minister's express authorisation in case of any doubt.

The Prime Minister has additionally instructed that unedited transcripts of her press conferences or telephone conversations should not be circulated outside the office.

*From the Secretary of the Cabinet*

Mr Butler

For consideration as amended.

RCA

13. X. 82

# OFFICE NOTICE

The Prime Minister has instructed that, following recent incidents, particular care should be taken with the circulation given to papers issued from 10 Downing Street.

Replies to correspondence from other Ministers and their Private Secretaries, records of meetings and requests for briefing should be ~~given the minimum circulation operationally necessary~~ and ~~In all cases care should be taken with drafting with an eye to the potential~~ carefully drafted so as ~~so as~~ to minimise the risk of political embarrassment. All such documents should be given the minimum circulation required for operational effectiveness. ~~to the Prime Minister if the document were leaked.~~ Papers containing substantive discussion of sensitive matters of policy should ~~not~~ be circulated only circulate on the instructions of ~~without the Prime Minister's express authorisation, which should be obtained through~~ the relevant Private Secretary, whose responsibility it is to seek the Prime Minister's express authorisation in case of any doubt.

The Prime Minister has additionally instructed that unedited transcripts of her press conferences or telephone conversations should not be circulated outside the office without her express authority.

DRAFT

SIR ROBERT ARMSTRONG

Following recent incidents the Prime Minister has asked that particular care should be taken with the circulation of papers issued from 10 Downing Street and the Cabinet Office. I attach, for your personal information, a copy of an Office Notice which I have issued in this office.

The Prime Minister has asked you to see that the Cabinet Office takes similar precautions. She would in particular wish you to consult her personally on the interdepartmental circulation of any papers or minutes about which you are in doubt, ~~particularly papers not cleared for circulation by another Minister~~. related to Cabinet or Cabinet Ministerial Committees

10 DOWNING STREET

THE PRIME MINISTER

To Sir Robert Armstrong

and Robin Butler

No documents are to be circulated from either office without my express authorisation and under terms strictly defined.

11th October 1982

Margaret Thatcher

M Scholar Esq

CABINET OFFICE

With the compliments of
The Private Secretary to the
*Secretary of the Cabinet*

70 Whitehall, London SW1A 2AS
Telephone 01-233 8319

RICTED

ET OFFICE

1A 2AS Telephone 01-233 8319

*t*: Sir Robert Armstrong KCB, CVO

27x.

26 October 1981

ing to you about the papers which the Chancellor
ed for last week's Cabinet, when I saw Jim

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ır staffing arrangements are geared to a work-
memoranda will not miss the standards laid down by such an enormous margin as these two papers. If a Minister is going to exceed these standards - and I understand why the Chancellor and the Chief Secretary thought that their papers could not be kept withing the limits - we need to have the paper well before the deadline specified in C(P)(81) 1; or alternatively to have it in the form of an annex or annexes typed and duplicated in the Department with a cover note for us to type here.

I hope that the Treasury will not so flagrantly breach the rules on Cabinet memoranda and give the impression that they can ignore them. If the Treasury persists in doing so, it becomes much more difficult to insist upon them with other Departments.

Copies go to Michael Scholar, Jim Buckley and Terry Mathews.

D. J. WRIGHT

J O Kerr Esq

RESTRICTED

RESTRICTED

# CABINET OFFICE

70 Whitehall, London SW1A 2AS Telephone 01-233 8319

*From the Secretary of the Cabinet*: Sir Robert Armstrong KCB, CVO

Ref. A05806

26 October 1981

I was on the point of writing to you about the papers which the Chancellor and the Chief Secretary circulated for last week's Cabinet, when I saw Jim Buckley's letter of 20 October.

His letter underlines the advantages for Ministers of keeping Cabinet memoranda short and circulating them in good time, as specified in C(P)(81) 1.

There is a further practical point. Cabinet memoranda are typed and reproduced in this office, and our staffing arrangements are geared to a work-load which assumes that Cabinet memoranda will not miss the standards laid down by such an enormous margin as these two papers. If a Minister is going to exceed these standards - and I understand why the Chancellor and the Chief Secretary thought that their papers could not be kept withing the limits - we need to have the paper well before the deadline specified in C(P)(81) 1; or alternatively to have it in the form of an annex or annexes typed and duplicated in the Department with a cover note for us to type here.

I hope that the Treasury will not so flagrantly breach the rules on Cabinet memoranda and give the impression that they can ignore them. If the Treasury persists in doing so, it becomes much more difficult to insist upon them with other Departments.

Copies go to Michael Scholar, Jim Buckley and Terry Mathews.

D. J. WRIGHT

J O Kerr Esq

RESTRICTED

27 OCT 1981

RESTRICTED

From the Private Secretary

Prime Minister (4)
MLS 21/10

Civil Service Department
Whitehall London SW1A 2AZ
Telephone 01-273 4400

*Chancellor of the Duchy of Lancaster*

20 October 1981

John Kerr Esq
Private Secretary to the
Chancellor of the Exchequer
HM Treasury
Parliament Street
LONDON
SW1P 3AG

Dear John,

PAPERS FOR CABINET AND CABINET COMMITTEES

The two papers which the Chancellor and the Chief Secretary circulated last week, on Wednesday evening and Thursday morning, for today's Cabinet are some of the first that have been put round since the Cabinet Office issued the Prime Minister's re-emphasis of instructions for such papers. It is therefore disappointing that the papers should have failed, by a large margin, to meet the required length and timing of circulations and the Chancellor of the Duchy has asked me to write to you about this.

The Chancellor of the Duchy quite sees that not all papers can be compressed into a few sides of paper but on a subject as important as this she would hope that it would be possible to circulate the papers in a rather more timely fashion. To push them round so late, and when many Ministers were in Blackpool, very much reduced the time which she had available to study what are very thick and detailed papers.

I hope that in future we can look forward to papers of a rather more manageable length circulated in proper time.

I am copying this to Michael Scholar (Number 10), Terry Matthews (Chief Secretary's Office), David Wright in Sir Robert Armstrong's Office.

Yours sincerely,

Jim Buckley.

J BUCKLEY

RESTRICTED

20 OCT 1989

FILE

VLB

Cabinet

MR. CLOKE
CABINET OFFICE

The Prime Minister has seen Sir Robert Armstrong's minute of 21 August, reference A05432, enclosing a draft memorandum on the circulation of papers to Cabinet and Cabinet Committees. The Prime Minister has made some minor amendments to Sir Robert Armstrong's draft, and I attach a copy of the revised version, which he may now issue.

W F S RICKETT

26 August 1981

8

Prime Minister I
Content ?
WR 21/8

Ref. A05432

PRIME MINISTER

I should like to take advantage of the start of the new Session to introduce the change of emphasis in the timing of circulation of memoranda for Cabinet and Cabinet Committees, which you and I discussed some months ago. The object of this change will be to try to make an interval of seven days between circulation and discussion the norm. An exception will be made for memoranda commissioned at one meeting for consideration at the following meeting. Otherwise the onus will be on Departments to convince the Cabinet Office of the justification for allowing a shorter interval. If the Cabinet Office is not satisfied, we shall have in the last resort to refer to you for a ruling; but I hope that we can keep to a minimum the cases in which you need to be troubled.

--- 2. I attach a draft of a memorandum which, if you agree, I will issue at the beginning of September.

Agreed
- the minor
modifications to make
it more
succinct !
RCA

ROBERT ARMSTRONG

21st August, 1981

DRAFT MEMORANDUM

Cabinet and Cabinet Committee Memoranda

The Prime Minister has asked me to remind Departments of the arrangements for the preparation of memoranda for Cabinet and Cabinet Committees. These arrangements are set out in two documents: Questions of Procedure for Ministers, C(P)(79) 1, paragraphs 9-13 and the Cabinet Documents Officer's Handbook, CSI(77) 1, Part IV. In restating them here, I give particular emphasis to points about length, and about timing of circulation.

2. The arrangements cover the following principal points:

(a) Style. Cabinet memoranda should explain the issue for discussion at the outset, indicate the relevant considerations and conclude with a precise statement of the decisions sought. ~~(They should be clear and succinct: this facilitates Cabinet discussion and the process of reaching decisions. Paragraphs should be numbered, and side-headings used as appropriate.)~~

(b) Clearance in Advance. Before proposals are brought to the Cabinet, they must be cleared in advance with certain other Departments as appropriate: expenditure or general financial policy implications with the Treasury; manpower or recruitment implications with the Civil Service Department; accommodation problems with the the Property Services Agency; and legal implications with the Law Officers. In addition, if proposals affect British obligations or interests as a member of the European Community, this should be clearly explained.

(c) Length. Memoranda should normally be no longer than 700 words. ~~There is a tendency~~, ~~particularly but not only in the Treasury,~~ ~~to expand papers to cover in detail~~ every aspect of and every argument ~~on an issue~~. The memoranda themselves should be confined to essential background ~~and assessment, and~~ detailed analysis and argument, together with supplementary detail, ~~tables of statistics and explanatory notes~~ should ~~all~~ be dealt with, where necessary in annexes ~~to the main memorandum~~.

(d) Reproduction of Cabinet Committee Memoranda. Memoranda for Cabinet Ministerial and Official Committees must be reproduced in the originating Department, all copies ~~made~~ then being sent to the Cabinet Office for distribution. The detailed instructions on lay-out and preparation of Cabinet Committee memoranda are set out in the Cabinet Documents Officer's Handbook. ~~Specimens of the lay-out for these memoranda are also given in the Handbook. These instructions have been drawn up in order to ensure that memoranda have a common lay-out and presentation.~~

(e) Reproduction of Cabinet Memoranda. Memoranda for the Cabinet itself (as distinct from memoranda for Cabinet Committees) are reproduced in the Cabinet Office. Draft Cabinet memoranda, with the typescript on one side of the paper in double spacing, should be sent in duplicate to the Private Secretary to the Secretary of the Cabinet at least three hours before the memorandum is to be circulated. Annexes for Cabinet memoranda must be reproduced in the originating Department

and the appropriate number of copies sent to the Cabinet Office.

(f) Timing of Circulation. Memoranda should be circulated in sufficient time to enable Ministers to read and digest them, and to be properly briefed on them. When there is no time constraint, or when a subject is of major importance or complexity, papers should be circulated not less than seven days before the date of the meeting on which they are to be discussed. If decisions are urgently required, and an interval of seven days is not possible, memoranda should be circulated as long before a meeting as possible, and at the very least two full working days before they are to be discussed. This represents a change in emphasis by comparison with the present arrangements. The Prime Minister attaches particular importance to this matter of timely circulation, and wishes to see an interval of seven days between distribution and discussion become the norm rather than the exception. The aim will, therefore, be to circulate all memoranda for Cabinet and Cabinet Committees at least seven days in advance of the meeting at which they are to be discussed. An exception to this requirement will be made for papers commissioned at one meeting of the Cabinet or Cabinet Committee for consideration at its next meeting. Apart from that, papers submitted late for the seven-day deadline will be taken off the agenda of the meeting for which they were intended, unless the Cabinet Office is satisfied that the delay was unavoidable and that

the dispatch of public business requires them to be taken on the date originally intended.

To ensure that this rule is complied with in the case of Cabinet memoranda, drafts will have to be received by the Private Secretary to the Secretary of the Cabinet during the afternoon (and certainly before 5.00 pm) of the Wednesday, eight days ahead of the Thursday Cabinet at which the memorandum is to be discussed.

3. These changes in emphasis in the rules for circulating Cabinet and Cabinet Committee memoranda come into effect forthwith, and are being incorporated in revised texts of the relevant Sections of Questions of Procedure for Ministers and the Cabinet Document Officer's Handbook.

Original filed on Euro Pol CAP Mos- Cabinet

Ref: A04534

CONFIDENTIAL

PRIME MINISTER

You asked me to look into a complaint by the Chancellor of the Exchequer that officials of the Ministry of Agriculture, Fisheries and Food had failed to consult the Treasury adequately in the preparation of their recent paper on imports of New Zealand butter (OD(E)(81) 5). In the Chancellor's view this was a contravention of the requirement that proposals involving expenditure affecting general financial policy should be discussed with the Treasury before being submitted to the Cabinet or to a Ministerial Committee (C(P)(79) 1, paragraph 11).

2. The paper in question was commissioned by the Cabinet Office. A first draft was circulated to the Treasury and other Departments on 2nd February for discussion at an interdepartmental meeting in the Cabinet Office on 3rd February. The draft outlined three possible courses and included an estimate of the cost of one of them. At the meeting the Treasury representatives pointed out that all three courses of action had either immediate or contingent public expenditure implications and asked that these should be fully spelt out when the paper came to be revised. Although they did not dispute the MAFF estimate of the cost of certain payments to be made to New Zealand, they pointed out that under one of the three options this did not represent the full public expenditure cost involved. Finally, they made the point that no legislative cover existed for any payments to be made to New Zealand and that a decision would be required on the question of Ministerial responsibility for any such payments. At the conclusion of the meeting the Ministry of Agriculture was asked to prepare and circulate a revised draft, setting out the advantages and disadvantages of the options which had been identified in discussion.

3. The revised draft was circulated on 12th February, but did not reach the Treasury until 13th February. By then we were arranging a meeting of Ministers in OD(E) for Wednesday, 18th February. In order to meet the 48 hour rule, the Cabinet Office asked the Minister of Agriculture's Private

Office to provide a memorandum by the afternoon of Friday, 13th February for circulation on the morning of Monday, 16th February. In response to this request the Minister made the revised paper available under a cover note of his own, in time for it to be circulated on the evening of Friday, 13th February. In accordance with the conclusions of the 3rd February meeting the revised paper now contained passages dealing with the public expenditure implications of all three courses of action. The Treasury did not consider these descriptions to be adequate or fully to reflect the points that they had made in the discussion of 3rd February. On the morning of 16th February, therefore, they asked the Cabinet Office to hold up the circulation of the paper to OD(E) until the necessary corrections had been made, but were told that the paper had already been circulated. The Treasury accepted that it was not practicable for the MAFF paper to be withdrawn at this stage, but the Chancellor accepted a recommendation that he should minute his colleagues on OD(E) in advance of the meeting, commenting inter alia on the public expenditure implications (minute of 17th February from the Chancellor to the Lord President).

4. It is thus clear that the Ministry of Agriculture had sought to revise the first draft of their paper in the light of the discussion on 3rd February to bring out, inter alia, the public expenditure implications of all three courses of action. At that stage they were expecting another round of discussions at official level, and they did not ask the Treasury whether they agreed with the references to public expenditure in the revised paper before circulating it. In the event the second round of discussions at official level was short-circuited by the need to arrange a meeting of OD(E), and in the time available it was not possible for the Treasury to comment on the revised paper before it was circulated to OD(E). The Treasury accordingly took the step of asking the Chancellor to circulate his own minute. It would have been better (if the timetable had permitted) had a somewhat longer time been allowed for inter-departmental comments on the revised paper before it was circulated to Ministers, so that Treasury views could have been taken into account. It would

also have been helpful, if the Ministry of Agriculture had positively sought Treasury clearance of the passages dealing with public expenditure, given the complexities which had been brought out at the 3rd February meeting. Sir Brian Hayes has assured me - and the Treasury fully accept - that there was no intention on the part of the Ministry of Agriculture to evade the obligation to consult the Treasury and that in future the Ministry of Agriculture will take positive action to ensure that Treasury agreement is obtained regarding the expenditure or other financial implication of proposals put to Ministers. In the present case the problem seems to have arisen because of the need to circulate the Ministry of Agriculture's memorandum to OD(E) as rapidly as possible.

5. I understand that the Chancellor of the Exchequer suggested to you that this was not the first example of the Ministry of Agriculture's failure to consult on the financial implications of proposals before submitting a paper to a Cabinet Committee. I have not been able to find any documented example of any other case of failure to consult adequately in relation to a paper circulated to the Cabinet or Cabinet Committees. There were, however, two occasions in July and November 1980 when the Minister of Agriculture wrote to you about the price of milk, copying the correspondence to the Chancellor of the Exchequer and other colleagues. The Minister of Agriculture's proposals had not been the subject of advance consultation with the Treasury, and in both cases it was decided that it would be appropriate for the question to be discussed by officials before the Ministerial Committee on Economic Strategy took its decision. There was a similar case involving aid to the Fishing Industry in July last year. In summing up the discussion at E on 4th December last year you said that in future the Minister of Agriculture should ensure that proposals for milk price increases were discussed between officials in good time before coming to Ministers for decision. The Minister's letters on these occasions were not technically Cabinet or Cabinet Committee papers, but they seem to have been intended to be in effect substitutes for such papers, and I have suggested to the Ministry of Agriculture that it would be in the spirit of

your summing up that, when the Minister is minded to consult his colleagues with a view to a decision on such a matter, informally by means of a minute rather than formally through the appropriate Cabinet Committee, there is the same need for adequate advance consultation with the Treasury about the financial implications, even where, as in the case of a milk price increase, these are indirect and limited.

6. I am sending copies of this minute to the Chancellor of the Exchequer and the Minister of Agriculture, Fisheries and Food.

ROBERT ARMSTRONG

(Robert Armstrong)

3rd April 1981

Cabinet

10 DOWNING STREET

*From the Private Secretary*

Sir Robert Armstrong

The Chancellor of the Exchequer complained to the Prime Minister at a meeting she had with him this afternoon about the failure of MAFF officials to consult the Treasury adequately in the preparation of their paper on imports of New Zealand butter - OD(E)(81)5. He said that this was another example of MAFF's failure to consult on the financial implications of proposals before submitting a paper to Cabinet Committee. (I believe this happened before over milk.)

The Prime Minister said that she would ask you to look into this, and if it seemed that there had indeed been inadequate consultation with the Treasury, she would ask you to get an undertaking from Sir Brian Hayes that in future MAFF will follow the normal Cabinet Committee procedures.

T. P. LANKESTER

17 February, 1981.

FILE

V18

Cabinet.

10 DOWNING STREET

*From the Private Secretary*

MR. WRIGHT
CABINET OFFICE

On 31 December, the Prime Minister told Sir Robert Armstrong that she wished to revise the instructions on the circulation of Cabinet and Cabinet Committee papers, and to introduce a rule requiring papers to be available seven days in advance. She would wish to be able to check at weekly meetings that colleagues had received their papers for the following week's meeting, subject only to any new papers commissioned at the meeting in progress, or to any exceptionally late submissions on her personal authority. Sir Robert Armstrong said that he had in preparation a reminder about timely circulation of papers, and that he would now prepare this to take account of the Prime Minister's intention to revise the instructions.

M. A. PATTISON

2 January 1981

CAB.

Civil Service Department,
Whitehall,
London, SW1A 2AZ

*With the Compliments*
*of the*
*Private Secretary*
*to the*
*Lord President of the Council*

**Civil Service Department**
Whitehall London SW1A 2AZ
01-273 4400

ary

6 August 1980

cretary of State

PONDENCE

Although the Lord President is not a member of E(EA) either he or the Minister of State, Civil Service Department, attend as necessary. Even where CSD Ministers do not attend we sometimes need to make points in correspondence.

I think there was an arrangement under which we received all E(EA) correspondence but of late it does not seem to have been working too well. I would be grateful if those to whom I am copying this letter would bear in mind our interests and let us have a copy of papers circulated on the E(EA) net.

Copies of this go to Private Secretaries to members of the Cabinet and to David Wright in Sir Robert Armstrong's Office.

Yours sincerely,

Jim Buckley.

J BUCKLEY

CAB.

Civil Service Department
Whitehall London SW1A 2AZ
01-273 4400

From the Private Secretary

6 August 1980

Ian Ellison Esq
Private Secretary to Secretary of State
for Industry
Ashdown House
123 Victoria Street
LONDON SW1E 6RB

Dear Ian,

E(EA) COMMITTEE CORRESPONDENCE

Although the Lord President is not a member of E(EA) either he or the Minister of State, Civil Service Department, attend as necessary. Even where CSD Ministers do not attend we sometimes need to make points in correspondence.

I think there was an arrangement under which we received all E(EA) correspondence but of late it does not seem to have been working too well. I would be grateful if those to whom I am copying this letter would bear in mind our interests and let us have a copy of papers circulated on the E(EA) net.

Copies of this go to Private Secretaries to members of the Cabinet and to David Wright in Sir Robert Armstrong's Office.

Yours sincerely,

Jim Buckley.

J BUCKLEY

- 7 AUG 1980

Cabinet

MR INGHAM

You asked for a note on the handling of and access to MIO(E) papers within No 10.

2. The distribution is carried out by Cabinet Office Committee Section. Those on the list, apart from yourself, are: Mr Whitmore, Mr Wolfson, Mr Hoskyns, Mr Duguid, Mr Gaffin and myself. In addition, those who have access to the papers are: Mr Ewing, Miss Walmsley, Miss Corbett, Mrs Crawford (Mr Wolfson's secretary), Miss Rust (Mr Hoskyns' secretary), Mr Strauss and all the staff in Confidential Filing.

3. Spare copies and file copies are filed in No 10 Press Office.

Jan Luke

JAN LUKE

25 July 1980.

CONFIDENTIAL

ACTION

1) C
2) C F.

Cabinet

Cabinet Office,
Whitehall,
London SW1

16th April, 1980

PS(80) 6

Dear Private Secretary,

Circulation of Ministerial Correspondence

There have recently been a number of occasions when the Cabinet Office have failed to receive adequate warning of issues that were likely to require Ministerial discussion. This can cause difficulties, especially when tight operational deadlines are involved. And the difficulties are of course compounded in circumstances where it proves necessary subsequently to involve the Prime Minister.

The simplest way to ensure that the Cabinet Office (and where necessary No. 10) are brought into the picture at an early enough stage is to copy to us as a matter of course all relevant correspondence and particularly inter-Ministerial correspondence on issues which may call for collective decision. A good deal of such copying already takes place, particularly of correspondence being sent to the complete membership of a Cabinet Committee. This practice should continue. Where difficulties seem to arise at the moment is over correspondence between more limited groups of Ministers. We do not want to add unnecessarily to the paper-chase or to add to photocopying at a time when economies are being sought in this area, but I should be most grateful if you could make a special effort over correspondence between these limited groups of Ministers to consider whether and at what point it would be desirable to bring the Cabinet Office into the picture.

I am sending copies of this letter to the Private Secretaries to all members of the Cabinet, the Minister of Transport and the Chief Whip.

Yours sincerely,

(Signed) D.J. WRIGHT

CONFIDENTIAL

cc Mr Ingrid
Cabinet

PRIVY COUNCIL OFFICE

WHITEHALL, LONDON SW1A 2AT

28 November 1979

Tim Lankester Esq
Private Secretary
The Prime Minister's Office
10 Downing Street
SW1

Seen by TL

Dear Tim

E COMMITTEE CORRESPONDENCE

The Press Secretary at No 10 wrote to the Paymaster General on 27 November about the outcome of the National Union of Mineworkers ballot. He enclosed with his minute a copy of a letter from the Secretary of State for Energy to the Chancellor of the Exchequer which included comments about Government publicity. This correspondence had not been copied to our Office although it obviously had a bearing on our responsibilities. Perhaps through you I could ask all members of E Committee and E(EA) Committee to ensure that the Paymaster General's Office receives copies of all Ministerial correspondence relating to those Committees.

Copies of this letter go to the Private Secretaries to all members of E and E(EA).

Yours ever
Richard

R E S PRESCOTT
Private Secretary

N

Cabinet

DEPARTMENT OF INDUSTRY
ASHDOWN HOUSE
123 VICTORIA STREET
LONDON SW1E 6RB
TELEPHONE DIRECT LINE 01-212 3301
SWITCHBOARD 01-212 7676

*Secretary of State for Industry*

14 November 1979

R Hastie-Smith Esq
Cabinet Office
Whitehall
London SW1

Dear Richard,

My Secretary of State is concerned that the Department should be aware of the issues coming before OD which have a significant impact on our industrial interests.

Several defence or overseas policy issues have implications for British industry and in most cases officials in this Department are aware of these through our membership of ODO(SE). It does, however, sometimes happen that we do not hear about specific issues of interest to us until after the event. For example, the recent proposals and conclusions about our political relations with Chile are important for several of our leading companies and sectors and it would have been desirable for this Department to have been involved in the correspondence preceding the meeting on 19 September.

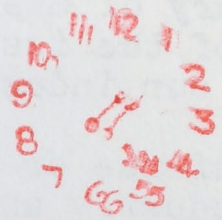
Clearly there will not be a need for this Department to be represented at all OD meetings but my Secretary of State would like officials here to be kept in touch with all issues which have important implications for British industry so that he and the Department can participate effectively.

I am copying this letter to the Private Secretaries to members of OD and Sir Robert Armstrong.

Yours sincerely,
Peter Stredder,

PETER STREDDER
Private Secretary

15 NOV 1979



Cabinet 2.

Prime Minister.

A step in the right direction. Agreed

JRW

2x

Ref. A0347

MR. WHITMORE

"Better Cabinet Papers"

At my Business Meeting last Friday we referred briefly to the draft paper on Rolls-Royce. I said that it seemed better than the paper on coal which the Prime Minister had criticised: but nevertheless deficient in a number of respects.

Sir Kenneth Berrill and Mr. Le Cheminant have now had an informal talk with Department of Industry officials. As a result the paper is being substantially rewritten: and will, I hope, be better even if not perfect. The interesting point is however that the Department of Industry positively welcomed the talk and said that it was very helpful to them to be given a steer on the sort of information which Ministers collectively were likely to want.

We will look for similar occasions to do this sort of thing.

Yours,

JOHN HUNT

2nd October, 1979

Cabinet

3.

10 DOWNING STREET

Prime Minister.

I attach, for your signature, the minute to your colleagues about Cultural papers.

19 ix

CABINET DISTRIBUTION

Home Office
Lord Chancellor
Foreign Office
Chancellor of the Exchequer
Industry
Defence
Lord President
Employment
Lord Privy Seal
MAFF
Environment
Scotland
Wales
Northern Ireland
DHSS
Chancellor of the Duchy
Trade
Energy
Education and Science
Chief Secretary, Treasury
Paymaster General

* * * * *

Minister of Transport
Law Officers: Attorney General
Lord Advocate
Solicitor General
Solicitor General for Scotland
Chief Whip
Sir John Hunt

CONFIDENTIAL

SUBJECT

10 DOWNING STREET

THE PRIME MINISTER

Personal Minute
No. M 13/79T

TO ALL MEMBERS OF THE CABINET

CONDUCT OF CABINET AND CABINET COMMITTEE BUSINESS

I am writing to you about the way in which Cabinet and Cabinet Committee papers are drafted.

Between the Election and the start of the recess we accomplished a great deal. We had a Budget which set an entirely new strategy. We took important but difficult decisions on public expenditure in 1980/1. A number of Ministers were able to announce major new policy decisions. At the same time we made progress in some major international negotiations.

We did all this at considerable speed and we had to cut some corners. Papers were frequently circulated with insufficient time for adequate study; and sometimes not all the relevant facts were before us. This was to some extent inevitable in these early months. But now this initial period is behind us, we need to deal with Cabinet and Cabinet Committee business in a more deliberate way, while losing none of our impetus.

There are one or two steps we can take which will help us conduct our business more effectively. First, we must do all we can to improve the drafting of Cabinet and Cabinet Committee papers.

/Guidance on this

CONFIDENTIAL

Guidance on this is contained in paragraphs 3,7,9,11,13 and 17 of Questions of Procedure for Ministers (C(P)(79)1). I think they repay re-reading, particularly paragraph 13 with its key sentence "The model memorandum explains at the outset what the problem is, indicates briefly the relevant considerations, and concludes with a precise statement of the decisions sought." No matter who has prepared the draft, the responsibility for the paper lies with the Minister circulating it.

Second, we must ensure that Cabinet and Cabinet Committee papers are circulated in good time. As a minimum papers should be sent round to colleagues two clear working days before a meeting.

Finally, we have done our best to cut out unnecessary Committee work and unnecessary co-ordination since Ministers are better employed getting on with the job rather than sitting round a table. I do, however, stress the word "unnecessary". It is no help to the Cabinet if proposals are put to it before all the departments with a legitimate interest have been properly consulted. Ministers should therefore normally discuss their proposals with the other departments concerned, either in the appropriate Cabinet Committee or more informally, before bringing them to the Cabinet for decision. We can more effectively arrive at our conclusions if there is prior agreement on the facts and the options.

I am sending copies of this minute to all members of the Cabinet including the Minister of Transport, to the Chief Whip, the Law Officers and Sir John Hunt.

Margaret Thatcher

19 September 1979

1.

PRIME MINISTER

When you discussed with me on our way to Devon last week your concern about the quality of papers coming to the Cabinet and to Cabinet committees, you agreed that there would be some advantage in your sending a minute to your colleagues asking them to take steps to improve papers for Ministerial committees. You did not, however, think that the draft submitted by Sir John Hunt was quite right and you asked me to revise it. I now attach a considerably shorter version of the minute. If you are content with it I will submit it for you to sign.

18 September 1979

Agreed - the latest draft looks right.

MT

CONFIDENTIAL

DRAFT MINUTE FROM THE PRIME MINISTER TO MEMBERS OF THE CABINET

I am writing to you about the way in which Cabinet & Cabinet Committee papers are drafted

Conduct of Cabinet and Cabinet Committee Business

In the two and a half months between the Election and the start of the recess we accomplished a great deal. We had a Budget which set an entirely new strategy. We took important but difficult decisions on public expenditure in 1980/1. A number of Ministers were able to announce major new policy decisions. At the same time we made progress in some major international negotiations.

We did all this, however, at considerable speed and we had to cut some corners. Papers were frequently circulated with insufficient time for adequate study; and sometimes we found that not all the relevant facts were before us. This was to some extent inevitable in these early months. But now that this initial period is behind us, we need to deal with Cabinet and Cabinet Committee business in a more deliberate way while losing none of our impetus.

There are one or two steps we can take which will help us conduct our business more effectively. First, we must do all we can to improve the drafting of Cabinet and Cabinet Committee papers. Guidance on this is contained in paragraphs 3,7,9,11,13 and 17 of Questions of Procedure for Ministers (C(P)(79)1). I think they repay re-reading, particularly paragraph 13 with its key sentence "The model memorandum explains at the outset what the problem is, indicates briefly the relevant considerations, and concludes with a precise statement of the decisions sought." No matter who has prepared the draft, the responsibility for the paper lies with the Minister circulating it.

/Second

CONFIDENTIAL

Second, we must ensure that Cabinet and Cabinet Committee papers are circulated in good time. ~~We should remember that the rule that~~ At a minimum to colleagues papers should be sent round two clear working days before a meeting ~~is a minimum. Few issues are so urgent that with care and forethought colleagues cannot be given more time to consider them than this~~.

Finally, we have done our best to cut out unnecessary Committee work and unnecessary co-ordination since Ministers are better employed getting on with the job rather than sitting round a table. I do, however, stress the word "unnecessary". It is no help to the Cabinet if proposals are put to it before all the departments with a legitimate interest have been properly consulted. Ministers should therefore normally discuss their proposals with the other departments concerned, either in the appropriate Cabinet Committee or more informally, before bringing them to the Cabinet for decision. We can more effectively arrive at our conclusions if there is prior agreement on the facts and the options.

I am sending copies of this minute to all members of the Cabinet including the Minister of Transport, to the Chief Whip, the Law Officers and Sir John Hunt.

Archive attn!

CABINET OFFICE
E 060
14 SEP 1979
FILING INSTRUCTIONS
FILE No. .....

1. MR Le CHEMINANT 7/9

2. MR WILE.

CABINET AND COMMITTEE PAPERS

1. You asked for some examples of badly prepared papers, etc over recent months.

2. It proves quite difficult to document the grumbles we all make. I have grouped what follows under a few leading headings:

(a) acceptability to the Prime Minister. Some Ministers now take the precaution of checking with her in advance. Cases where they failed to do this, and got into trouble as a result, include:

(i) the earliest Public Expenditure papers at the beginning of this Government;

(ii) papers on Employment Protection Act and Industrial Relations.

(b) Suppression of alternatives. It is difficult to be specific about this group: very often, an alternative emerges in discussion which had genuinely not been thought of before. But some recent cases include:

(i) BNOC: the option of forward oil sales never really emerged in the papers considered by E last week;

(ii) Economic Policy. The Chancellor's original paper on Public Expenditure - the economic background (C(79)27) merely stated his own policy as axiomatic. He was sent away as a result to produce some examples of what would happen if the Cabinet chose an alternative route.

(c) Bounces: Three recent good examples:

(i) Mr Heseltine offerring £70 million additional disposals

of land as an alternative to selling BP shares. (He tried the same trick again with a shortfall on housing, at E this week);

(ii) Urban Development Corporation. He tried to rush a major new policy initiative to E(EA) before the Recess;

(iii) BNOC again. Mr Howell tried to rush E into agreeing to his 'privatisation' measures at E last week, when he had already promised (in his paper) to submit more detailed proposals.

(d) Lack of Consultation or Consertation:

(i) the failure of the Treasury and the CSD to relate the Public Expenditure and Manpower exercises has been a major headache. At one point, the Treasury had to fudge the expenditure figures because the CSD were unable (at least officially) to let them know how much the Lord President was aiming for in his Cabinet paper. It is still impossible to find out, from reading the two Cabinet papers, exactly how much the Treasury have allowed for;

(ii) the Energy Paper on 'Offshore Interest Relief Grants', taken just before the summer Recess, had not been discussed with the Attorney General in advance. As a result, the UK has been technically in default for some weeks in applying a Commission ruling which actually has the direct force of law in this country.

(e) Undue delay. The two main offenders are the Treasury and the Department of Energy (so Mr Le Cheminant and I are both vicariously guilty). The Treasury papers on Pay and Cash Limits have been twice deferred ~~and~~ because the Chancellor was unable to agree to official advice. The Department of Energy papers on Coal Policy, Coking Coal, and Nuclear Reorganisation, are classic cases of papers which keep slipping over the three-week horizon of the Business Note.

(f) Undue length. The Treasury papers on Pay are the worst offenders in this respect. They all have one thing in common - their authorship.

(g) Lack of relevant material. The worst offenders here were Education and DHSS, in E(EA) papers about Pay. Sir Keith Joseph insisted that all such papers should show the relevance for cash limits and the scope for offsetting savings. Departments consistently ignore this advice, despite prompting from the Cabinet Office. In their defence, it should be said that Sir Keith Joseph was fighting a lone battle, in the absence of a clear Cabinet instruction at that time. I think we have now got this sorted out for the future.

(h) Poor presentation. I am afraid we take the prize here: the two papers on 'Government Strategy' prepared by the CPRS and Mr Hoskyns, were a nightmare, because the same items were grouped in two different ways, in two different orders of priority, under slightly different headings - despite a noble effort by Sir K Berrill and others to sort out all the Departmental proposals, No: 10 managed to circulate a completely different classification.

3. May I make one general point? The Secretariat could do considerably more to improve the quality of papers if they were received for circulation in good time, and if we were regularly shown drafts in advance. But we have almost no opportunity to invoke even the present rules when a paper arrives within the 48 hour deadline, with a meeting impending and an urgent decision needed. The message for Permanent Secretaries is:

(a) take us into your confidence a lot earlier;

(b) take some notice of what we say; we are closer to the Cabinet discussions and usually have a better feel for what the Prime Minister, and Ministers collectively, want;

(c) get your papers in well ahead of time, and persuade your Ministers not to hold them up to the last minute.

Easier said than done!

PR1

P MOUNTFIELD.

14 September 1979

Prime Minister.

You raised this in Cabinet on 26th July (flag A). There is much to be said for your following up what you said then with a minute to your colleagues on the lines of the draft below. Do you agree?

Ref A0190

PRIME MINISTER

More than once before the recess you complained with justification about the quality of papers coming to the Cabinet or to Cabinet Committees. This minute suggests some causes and also possible remedies. Tidy

2. Some departments are worse offenders than others, and there is no excuse for sloppy work or a reluctance to come to a clear recommendation. But I think two other factors, perhaps inevitable in the first few months of the new Government, may have contributed. They were -

(a) The Government had to produce a major Budget in record time. There was then a need for urgent public expenditure decisions to validate the Budget arithmetic. And many Ministers wanted to announce major policy decisions before the recess and the subsequent Party Conference. All this meant that the machine (both Ministerial and official) had to work under great pressure and led to a lot of corner-cutting. As a result papers were sometimes circulated with insufficient time for Ministers to give them proper consideration and without, in some cases, adequate home work having been done.

(b) You have, rightly, had a drive against unnecessary committee work: and also against unnecessary coordination, particularly where the latter merely means trying to accommodate every department's point of view. But I have the impression that sometimes departments have been uncertain where they stand over this and have failed to bring in other departments who need to be informed or consulted. In other words less formal machinery does not mean that everyone can go their own way regardless of anyone else.

Was this person
Now there is one found
- better for them
Faces
Resign





No. I think it would be best to work for those that are not in accordance with the rules or return them.

MF

3. I suggest therefore that as Ministers are returning from the holidays you might reinforce what you said at Cabinet on 26 July (CC(79)12th Conclusions, Minute 8) about the need for better and more systematic papers.

4. There are two ways of approaching this. We can make our own system work better or we can adopt someone else's. For example, both the Australian and Canadian equivalents of our "Questions of Procedure for Ministers" contain very detailed guidance about the precise format of Cabinet papers, listing the points that have to be covered and in which order; and in the Australian case with a proforma that has to be completed showing who has been consulted, the legislative and publicity implications, etc. I have studied these carefully and doubt whether they would suit our Ministers or our system. They smack too much of the machine taking control (incidentally in Australia all papers have to reach the Cabinet Office ten days before the meeting at which they are to be considered). I think you can get all the improvements you need without going for such radical changes.

5. At present the main guidance on the preparation of Cabinet and Cabinet Committee papers is in "Questions of Procedure for Ministers" (C(P)(79)1) and is as follows -

(a) "Questions involving more than one Department should be examined interdepartmentally, before submission to the Cabinet, so that the decisions required may be clearly defined" (Para 3).

(b) "When there is a conflict between Departments, it should not be referred to the Cabinet until other means of resolving it have been exhausted, including personal correspondence or discussions between the Ministers concerned" (Para 7).

(c) "Memoranda should be circulated in sufficient time to enable Ministers to see them at least two full working days before they are to be discussed" (Para 9).

(d) "Proposals involving expenditure or affecting general financial policy should be discussed with the Treasury before being submitted to the Cabinet or to a Ministerial Committee: and the results of these discussions together with the best possible estimate (or estimates, if the Department's figures cannot be reconciled with the Treasury's) of the loss to the Exchequer, should be indicated in the memorandum. Where proposals affect United Kingdom obligations or interests as members of the European Community these should be clearly explained. If proposals have manpower implications or may give rise to problems of recruitment, these should be clearly stated after consultation (in the case of manpower) with the Civil Service Department. Attention should also be drawn to any accommodation problems after consultation with the Property Services Agency. No memorandum should be circulated to the Cabinet unless any legal implications which it raises have been cleared, or at least clarified, with the Law Officers" (Para 11).

(e) "Memoranda for the Cabinet and Committees of the Cabinet should be as clear and as brief as possible, not exceeding two pages at maximum. Time spent in making a memorandum short and clear will be saved many times over in reading and discussion; and it is the duty of Ministers to ensure by personal scrutiny that this is done and that, where necessary, memoranda submitted to them are revised accordingly. The model memorandum explains at the outset what the problem is, indicates briefly the relevant considerations, and concludes with a precise statement of the decisions sought" (Para 13)

(f) "Rules governing the layout ... of Cabinet and Cabinet Committee documents are set out in a separate memorandum ..." (Para 17).

6. I doubt if there is anything wrong with these rules. What perhaps is missing is an emphasis on clarity of presentation, reflecting an intellectually rigorous approach, and on the need to ensure that colleagues are given the main arguments and facts necessary for a decision. As always, there is the problem of reconciling these requirements with the need for brevity, but clarity should come first. In some cases a good Annex, properly related to the main paper, will help. In all cases the lesson must be to take time and trouble to set out clearly what it is that Ministers wish their colleagues to decide.

7. I suggest that you might consider sending your colleagues a minute on the lines of the attached draft.

JOHN HUNT

7 September 1979

DRAFT MINUTE FROM THE PRIME MINISTER TO

MEMBERS OF THE CABINET

In the two and a half months between the Election and the start of the recess we accomplished a great deal. We had a Budget which set an entirely new strategy. We took important but difficult decisions on public expenditure in 1980/1. A number of Ministers were able to announce major new policy decisions. At the same time we made progress in some major international negotiations.

All this however involved some cutting of corners. Papers were frequently circulated with insufficient time for adequate study; and sometimes we found that not all the relevant facts were before us. This was to some extent inevitable in these early months. However, we need now to remind ourselves that we can look forward to at least four years in Government and should conduct our affairs in a more deliberate way while losing none of our impetus.

There are three points which I would especially commend to my colleagues -

(a) We must do all we can to improve the quality of Cabinet Committee papers and to ensure that they are circulated in good time. Guidance on this is contained in paragraphs 3, 7, 9, 11, 13 and 17 of Questions of

Procedure for Ministers (C(P)(79)1). I think they repay re-reading, particularly paragraph 13 with its key sentence "The model memorandum explains at the outset what the problem is, indicates briefly the relevant consideration, and concludes with a precise statement of the decisions sought." No matter who has prepared the draft, the responsibility for the paper lies with the Minister circulating it. I hope all Ministers will insist on clarity of presentation, reflecting an intellectually rigorous approach, and will ensure that their colleagues are presented concisely with all the main arguments and facts necessary to a decision. Often there is a problem of reconciling these requirements with the need for brevity: but the overriding need is for clarity. In some cases a good Annex, if it is properly related to the covering paper, will help.

(b) We have done our best to cut out unneccessary Committee work and unnecessary coordination since Ministers are better employed getting on with the job rather than sitting round a table. I do, however, stress the word "unnecessary". It is no help to the Cabinet if proposals are brought before it which have not been properly worked out or where departments with a legitimate interest have not been consulted in sufficient

time. The Cabinet is a large body which often has a long agenda and ought not to be concerned with questions of detail or fact. Where other departments are concerned, Ministers should normally discuss their proposals with them, either in the appropriate Cabinet Committee or more informally, before bringing them to the Cabinet for decision. We can more effectively arrive at our conclusions if there is agreement on the options and the data base.

(c) Undue haste is the enemy of sensible decision making. This does not mean that decisions should be delayed by an over-bureaucratic approach to the mechanics of central Government coordination - far from it. But we should remember that the rule that papers should be circulated two clear working days before a meeting is a minimum. Few issues are so urgent that with care and forethought colleagues cannot be given more time to consider them than this. In this connection it should also be noted that, while the settlement of issues in correspondence is a legitimate and helpful device, contentious issues usually require discussion: colleagues seeking clearance of such matters in correspondence should therefore allow time for subsequent discussion of their proposals should this prove necessary.

I am sending copies of this minute to all members of the Cabinet including the Minister of Transport, to the Chief Whip, the Law Officers and Sir John Hunt.

CONFIDENTIAL

Cabinet

PRIME MINISTER

## Circulation of Cabinet Papers

Cabinet Ministers' Private Offices have been told, vigorously, how important it is to keep Cabinet papers brief and cogent, and to have them circulated in time for Ministers to read them well before the meeting, which means circulation 48 hours in advance.

You should know - in case Cabinet colleagues complain - that the papers on public expenditure for Cabinet on Thursday were a bit late going round on Tuesday (you will recall that they were submitted to you on Monday night and you made a change in the Chief Secretary's paperas to the percentage reduction target). The two papers were circulated at 1300 and 1500 hours respectively on Tuesday, whereas they should have been circulated at 0800 on Tuesday. Even so, Ministers should have been able to have them to consider on Tuesday evening, although we happen to know that, in at least one case, the Minister did not see it until Wednesday evening.

If you want to pre-empt trouble, you could say that because of the pressures on the Treasury and the Chancellor during the pre-Budget period, it was not possible for you to see these papers in good time for them to be circulated more than 48 hours before the meeting, as the rule provides, but that while this failure to operate sensibly might be excusable in the early days of the Administration, everyone should work to ensure that it does not become a precedent.

K.R.S.

23 May 1979