

Norton, Rose, Botterell & Roche

Our Ref. 15/V.3742

Your Ref.

Date 14.7.81

With compliments

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YOUR REFERENCE

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14th July 1981

The Secretary of State for the Environment
The House of Commons
Westminster
LONDON SW1

Dear Secretary of State,

Vale of Belvoir

My Clients, the Alliance, representing the National Farmers' Union, the Vale of Belvoir Parish Councils Committee and the Vale of Belvoir Protection Group, view with increasing concern the public debate which is being conducted in the media and elsewhere (and in which quite deliberately they have not so far participated) in anticipation of your decision on the National Coal Board's applications to mine in the Vale.

Indeed, it has been suggested that the decision has already been made. Whether or not this is so, it is in my Clients' opinion clearly desirable that the decision should not be delayed one moment longer than absolutely necessary. Not only should the continuing uncertainty which is gravely distressing my Clients be brought to an end but the continuing speculation, the political posturing by certain participants, and the positively misleading contributions from certain quarters should also cease.

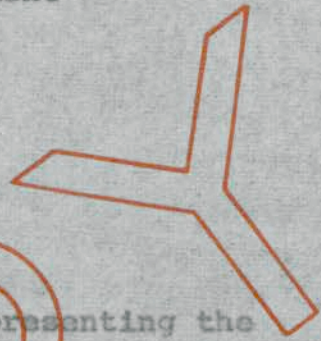
My Clients have also noted with considerable surprise that the claims made on behalf of the Department of Energy at the Inquiry are being pursued without apparent contradiction. It is my Clients' view that following the examination which took place during the course of the Inquiry those claims were demonstrated to be overoptimistic and illfounded. They suggested continuing demand at a time when all reliable pointers

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*at the Downing
Press Office*

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indicated to a reduction in that demand - a conclusion which subsequent figures have confirmed.

I am asked to remind you that my Clients do not claim that there is no engineering problem that cannot be overcome by the application of unlimited resources. But in the context of that observation, they have noted that the Government has already offered the mining industry substantial sums of money to keep open certain older pits the anticipated closing of which was in my Clients' interpretation one of the fundamental props of the National Coal Board's case.

The ~~distinction~~ between need and environmental impact. I am asked to remind you of the following eight issues:-

- (1) Manifestly a need must be shown and must be shown on more than a balance of probabilities.
- (2) The proposed development if permitted will by necessary implication cause substantial environmental damage.
- (3) Notwithstanding certain documentation put before the Inquiry, no firm policy decision as to how the coal industry is to develop beyond 1985 and through into the next century has been taken.
- (4) Mining is an extractive industry which first depletes and ultimately exhausts reserves. The choice is not between developing new capacity or allowing the industry to decline. If the coal is not needed, the decline of the industry should be positively encouraged.
- (5) The domestic desire to replace local capacity and preserve valuable local mining skills are quite irrelevant to the issue of need.
- (6) In asserting the efficiency and economy of a Belvoir field, the Coal Board cannot possibly have brought into account the enormous costs of the other works consequential upon the proposal. The coal will be very expensive coal indeed.
- (7) The National Coal Board's case by its own assertions seems to my Clients to be a grotesque case, namely to want to win the coal because it is there without relation to any defined markets.

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(8) In every context landscape, subsidence, road traffic, rail traffic, noise and agriculture a devastating change in the character of the Vale would occur. The mine buildings, spoil tips ancillary developments such as sewage treatment works, housing, rail links, rail network, overhead electricity lines, together comprise colossal manmade developments by any standard of comparison. In my Clients' opinion, the layout has been designed to give the best possible mining conditions rather than to give the best possible surface and subsidence conditions. The enormous land losses involved in this project and the ability of the agricultural industry to continue to produce a steadily increasing proportion of the nation's food will be severely prejudiced over the whole of the Vale. The potential damage to agricultural activities encompasses all the above matters to which may be added severance, restoration problems and general disturbance.

In my clients' view the if the application is granted the consequences will be devastating and certain. If it is refused thereeserves will remain. But in the evnat of industrialisation of the Vale a very different atmosphere will prevail. In this context I am asked by my Clients to say that the apparently inevitable and characteristically aggressive response of the National Union of Mineworkers to the possibility of refusal - namely immediate industrial action and withdrawal of labour - gives my Clients very little confidence confort or hope for the future of the Vale - an industrially peaceful and hard working agricultural economy - or for the prospects of observance of any conditions or terms imposed upon development if permitted if they do not happen to suit some of the participants.

I am asked by my Clients to request that your decision is made known as soon as possible.

Yours sincerely,

P.J. Purton

cc: The Right Hon. Mrs. M. Thatcher
Secretary of State for Agriculture
D. Howell Esq - Minister for Energy
M. Latham Esq M.P.

