

CONFIDENTIAL

SUBJECT

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bc. Mr Ingham
" Wolfson
" David
" Vereker

10 DOWNING STREET

From the Private Secretary

17 September 1981

The Prime Minister held a meeting this morning to discuss the Vale of Belvoir coalfield decision. Your Secretary of State had minuted the Prime Minister on this matter on 11 September, and the Secretary of State for Energy had commented in a minute dated 16 September. The following were present in addition to your Secretary of State: the Home Secretary, Chief Secretary, Secretary of State for Energy, Attorney-General, Sir Robert Armstrong and Mr. Robin Ibbs.

The Attorney General explained that the Secretary of State's decision on the Vale of Belvoir planning application was of a quasi-judicial nature and therefore ultimately had to be his own and nobody else's. But in reaching his decision, he was free to consult his colleagues provided he complied with the procedure rules and the rules of natural justice. However, if he was to take into consideration "new evidence", or "new issues of fact" which were not raised at the inquiry, he would have to re-open it if any party so wished.

The Secretary of State for the Environment said that, in view of the complexity of the issues and other pressing business, he had concluded that he was not yet in a position to reach a final decision on the application. He was unlikely to be able to do so until December; in the meantime, he would be happy to take into consideration the views of colleagues on the basis indicated by the Attorney General.

I am sending copies of this letter to John Halliday (Home Office), Terry Mathews (Chief Secretary's Office, HMT), Julian West (Department of Energy), Jim Nursaw (Law Officers' Department), David Wright (Cabinet Office) and Gerry Spence (CPRS).

TPL

David Edmonds, Esq.,
Department of the Environment.

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