



NBPM
MUS 31/3

Energy
J.V.

2 MARSHAM STREET
LONDON SW1P 3EB

My ref:

Your ref:

31 MAR 82

Dear Michael,

VALE OF BELVOIR DECISION LETTER

At Cabinet last Thursday, the Prime Minister asked that my Secretary of State should circulate to cabinet colleagues a copy of the decision letter that was sent to the NCB announcing his decision on their planning applications for mining in the Vale of Belvoir. Some members of Cabinet have already received a copy of the letter as part of the consultation process before last week's Statement. I am therefore copying this letter and enclosure to the Private Secretaries to the Lord Chancellor, the Secretaries of State for Foreign and Commonwealth Affairs, Education and Science, Northern Ireland, Defence, Scotland, Wales, Trade, Transport, Social Services, the Attorney General, the Lord Privy Seal and the Chief Secretary to the Treasury.

L The
Chancellor of
the Duchy of
Lancaster

yours sincerely,
Helen Ghosh

MRS H F GHOSH
Private Secretary

Michael Scholar Esq



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The Secretary
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Your reference

Our reference

M/183/21

Date

25 March 1982

Sir

TOWN AND COUNTRY PLANNING ACT 1971

APPLICATIONS BY THE NATIONAL COAL BOARD IN RESPECT OF THE VALE OF BELVOIR

1. I am directed by the Secretary of State for the Environment to refer to the National Coal Board's applications to:-

a. the Melton Borough Council for:-

i. planning permission for the winning and working by underground methods of coal situated within such parts of the seams described below as are within the Melton District, and the execution underground of such works as are requisite or convenient for that purpose, and for the carrying out of building and engineering operations including the deposit of spoil for the purposes of the underground mining and the development described in ii. below;

ii. planning permission for the erection of buildings relating to the winning and working of coal by underground methods at the sites of 3 mines on the land shown bounded by a red line on Plans Nos. 6, 7 and 8 in the Supplementary Statement accompanying the application;

b. the Rushcliffe Borough Council for planning permission for the winning and working by underground methods of coal lying within such parts of the seams described below as are within the Rushcliffe District, and the execution underground of such works as are requisite or convenient for the purposes of such winning and working;

c. the South Kesteven District Council for planning permission for the winning and working by underground methods of coal lying within such parts of the seams described below as are within the South Kesteven District, and the execution underground of such works as are requisite or convenient for the purposes of such winning and working.

The seams to which the applications referred to in Paragraphs a.i, b and c above relate are the Top Bright (including the Cinderhill main leaf of the Top Bright), Dunsil/Waterloo, Deep Main, Parkgate and Blackshale seams lying within the area of land shown edged and coloured red in Plan No. 1 in the Supplementary Statement accompanying each of these applications.

2. I am also to refer to the Secretary of State's direction of 23 January 1979, given in pursuance of section 35 of the Town and Country Planning Act 1971, that the applications be referred to him for decision instead of being dealt with by the local planning authorities.

3. I am further directed by the Secretary of State to refer to the public inquiry conducted by his Inspector, Mr Michael Mann QC, on 30 October 1979 to 2 May 1980 at which the Inspector was accompanied by 2 assessors, Mr R K Taylor MSC PhD CEng FIMM FGS and Mr S W Midwinter RIBA FRTPI. A copy of the Inspector's Report is enclosed. The Inspector's principal conclusions and his recommendations are set out in Chapter 17 of his report and are reproduced at Annex 1 to this letter.

4. The Inspector recommended that:-

i. planning permission should be granted to mine the Vale of Belvoir coalfield in accordance with the applications;

ii. outline planning permission should be granted to construct mines at Asfordby, Hose and Saltby;

iii. outline planning permission should be granted to construct a tip at Asfordby;

iv. the permissions should be subject to the conditions recommended in Chapter 16 of his report;

v. permission should be refused for the construction of tips at Hose and Saltby.

ENVIRONMENTAL EFFECTS

5. The Secretary of State has carefully considered all of the issues in the Inspector's report, and notes his conclusions. He agrees with the view expressed at the inquiry and endorsed by the Inspector that visually the area proposed to be mined is important in regional terms, although not outstanding in national terms; and he accepts the point made in evidence by the Countryside Commission that the East Midlands is not well endowed with areas of attractive countryside and that this factor increases the value and importance of the Vale of Belvoir. He endorses the Inspector's assessment that the attractive eastern parts of the area reach the quality generally expected to be found in a national park and that the escarpment crowned with the Harby Woods is also a feature of considerable attraction.

6. It appears to the Secretary of State that the main impact of the proposed development, particularly from the visual standpoint, would result from the mine buildings and the three spoil tips. He notes the Inspector's view that there is no reason in principle why the mine buildings should not become acceptable visual elements in their proposed settings and that there would be no serious or widespread damaging effect on the area as a whole. He does not accept that view. As the Inspector says, the buildings would incorporate structures equivalent to 17-19 storey tower blocks which could not be effectively screened from many places, and therefore they would be visible over wide areas. This is particularly true of the Hose complex as the Inspector himself notes in Paragraph 9.8.10 of his report. The Inspector goes on to say that the escarpment provides a suitable background screen which would contain the visual intrusion and provide some visual context for the placing of buildings in a way which he finds acceptable. The Secretary of State notes this, but he prefers the evidence given at the inquiry to the effect that the shaft towers would dominate a wide area and that the surface developments would be alien in the Vale. He therefore believes that the proposals to develop a mine complex at Hose are unacceptable. At Asfordby and Saltby, he does not consider that the impact of the mine complexes would be sufficiently strong to warrant a refusal of permission on these grounds alone.

7. The Secretary of State fully accepts the Inspector's conclusion that tipping operations at Hose and Saltby, which would continue for upwards of half a century, would in visual terms be totally unacceptable and that noise would be a problem. So far as the final forms of these tips are concerned, the Inspector considered that the one at Saltby would be unacceptable but was not persuaded that the final form of the Hose tip would necessarily be unacceptable. The Secretary of State accepts the Inspector's conclusion on the Saltby tip but so far as Hose is concerned he agrees with the views of the Alliance that it would mar the contrast of the steep escarpment face with the sweep of the valley and would destroy one of the finest landscape features of Midland England. The Secretary of State therefore concludes that the final form of the tip at Hose would be equally unacceptable.

8. With regard to the tip at Asfordby, the Secretary of State accepts the Inspector's conclusions in relation to noise and visual impact but he is concerned with the impact of tipping operations on agriculture. Government policy for the protection of agricultural land, set out in Circular 75/76, is to ensure that as far as possible land of a higher agricultural quality is not taken for development where land of a lower quality is available and that the amount of land taken is no greater than is reasonably required for carrying out the development in accordance with proper standards. The Secretary of State in his consideration of the proposed development as a whole attaches more weight to this policy than does the Inspector.

9. The Secretary of State therefore concludes that the Board's proposals for tipping at Hose and Saltby are unacceptable as they stand. He is also concerned about the impact of tipping at Asfordby. He is of the opinion that before local tipping at any of the three sites could be contemplated the possibility of remote disposal of spoil, for example in Bedfordshire, should be explored in greater detail between all the bodies involved and, in addition, further research could usefully be undertaken into the question of underground disposal of waste, as mentioned by the Inspector.

NEED

10. The Inspector's view on need was that it is somewhat more likely than not that there will be a need for a supplement to indigenous deep-mine capacity at about the time the Belvoir coalfield could become fully operational. He took this view on the basis of his assessment of a number of factors (listed in paragraph 4.11.1 of his Report) and stated that he was unable to refine his opinion by suggesting the year in which the need would arise or the exact extent of that need. The Secretary of State accepts that the coal will be needed at some time in the future, but he is not convinced on the information at present before him that the degree of need demonstrated outweighs the adverse environmental effects considered in paras 5-9 above.

EMPLOYMENT

11. The Secretary of State notes that the National Coal Board drew attention to the fact that the opening of the Belvoir coalfield would afford an opportunity to employ mineworkers who would be made redundant by colliery closures in the South Nottinghamshire and South Midlands areas. He also notes the evidence presented by the NUM, also acting on behalf of the other mining unions, that the development of the Vale of Belvoir coalfield would ameliorate the effect of the impending colliery closures in the NW Leicestershire and South Nottinghamshire areas. Accordingly the Secretary of State has considered whether the development of the Vale of Belvoir can be justified on the grounds of the employment opportunities it will create for mineworkers. He has concluded that the very important benefits which would accrue from the provision of such employment will need to be considered in the light of any fresh applications that the NCB may wish to make, and which can be made within a timescale compatible with the employment requirements. Full account can then be taken of the balance between the environmental effects and the need for the development.

CONCLUSIONS

12. For the reasons set out in paragraphs 5 to 11 above the Secretary of State hereby refuses planning permission for the development of the Vale of Belvoir coalfield as set out in the planning applications recited at paragraph 1 above.

13. The Secretary of State fully accepts the need to ensure that the nation has adequate and secure sources of energy to meet prospective requirements and he notes that the Department of Energy argued at the inquiry that if the coal industry is competitive and based on efficient high productivity capacity, it will have an essential and increasing part to play in meeting our future needs for energy. He also accepts that the NCB might wish to submit new planning applications relating to revised proposals to exploit this massive national resource.

14. The Secretary of State considers that before any such applications are submitted the Board should examine whether, since the construction of a mine at Hose is environmentally unacceptable, they would wish to proceed to develop the coalfield with mines at Asfordby and Saltby or whether other environmentally acceptable sites could be found which would also meet the Board's operational requirements. In addition, the Board should investigate in detail possible ways of disposing of colliery waste other than local surface tipping. The Secretary of State will shortly be writing to propose discussions amongst those principally concerned (and in which the appropriate officials from this Department would participate) on how some of the present environmental problems associated with the development of this coalfield, particularly spoil disposal, can be overcome.

15. The Secretary of State has considered the point raised by the Inspector in paragraph 17.7.2 of his report relating to the granting of a partial permission. The Board submitted one application covering all of the underground coal extraction in Leicestershire together with the three mine complexes and the three tips, and they have thus opted to stand or fall on a strategy of developing the whole coalfield as one project. The Secretary of State takes the view that in these circumstances the granting of a permission for only part of the development would be in effect granting a permission for development which is significantly different in kind from the proposal which was the subject of the application. This may be a point which the Board would wish to bear in mind in future.

16. The Secretary of State acknowledges that it has taken a long time to determine this application since the Inspector's Report was received in November 1980. While it is his firm policy to ensure that planning applications and appeals are processed expeditiously, this case raised a number of complex issues which it was important to explore fully before any decision was taken.

17. Your attention is drawn to the attached memorandum relating to the provisions of section 245 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant

Paul F Everall

P F EVERALL
Authorised by the Secretary of State
to sign in that behalf

31 APR 1982

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References to Members

Mr. David Crouch (Canterbury): On a point of order, Mr. Speaker. I wonder whether it has been brought to your notice that in the past few days and weeks there has been an increasing tendency in the Chamber for references to be made to hon. Members other than by their constituencies. The tendency to refer to hon. Members and their speeches by name has been growing, has been evident in the past few days and was particularly evident last night. Although it is sometimes convenient to refer to a press report written by "Mr. So-and-So" or "Mrs. So-and-So" instead of referring to the hon. Member involved by his constituency, I wonder whether you think that we should check that tendency.

Mr. Speaker: I am much obliged to the hon. Gentleman. I have not heard such references when I have been in the Chair, but I shall gladly look into the matter. We must follow the traditional custom of addressing each other by our constituencies.

Vale of Belvoir

3.49 pm

The Secretary of State for the Environment (Mr. Michael Heseltine): With your permission, Mr. Speaker, I should like to make a statement setting out my decision on the National Coal Board's planning applications to exploit what has become known as the Vale of Belvoir coalfield.

In August 1978, the board submitted a planning application to Melton borough council for permission to work that part of the coalfield which lies under Leicestershire, to construct three mines at Hose, Saltby and Asfordby, and to tip spoil adjacent to the three sites. At the same time, applications were made to Rushcliffe borough council and South Kesteven district council for permission to work those parts of the coalfield which lie under Nottinghamshire and Lincolnshire respectively. These applications were called in by my predecessor, the right hon. Member for Stepney and Poplar (Mr. Shore), in January 1979.

A public local inquiry was conducted on my behalf by Mr. Michael Mann, QC, assisted by two assessors. I should like to record my gratitude to Mr. Mann and his two colleagues for the way they conducted the inquiry and for the report, a copy of which I have placed in the Library together with a copy of my decision letter, which is being issued today.

The inspector recommended that planning permission should be granted for the development of the coalfield and the construction of all three mines, but that permission should be refused for the proposed spoil tips at Hose and Saltby.

I have carefully considered all the issues in the inspector's report. I agree with the inspector that the board's proposals for tipping at Hose and Saltby are unacceptable as they stand, but in addition I am concerned about tipping at Asfordby because of its impact on agriculture. I have concluded that before local tipping at any of the three sites could be contemplated the possibility of other methods of spoil disposal should be further examined.

I have also concluded that the development of a mine complex at the proposed Hose site is environmentally unacceptable. Mine buildings here on the scale proposed would dominate a wide area, and would be alien to the vale.

The inspector concluded that it was somewhat more likely than not that there will be a need to supplement indigenous deep-mine capacity at about the time the Belvoir coalfield could become fully operational, but he felt unable to refine his opinion by suggesting the year in which the need would arise or the exact extent of that need. I accept that the coal will be needed in the future, but I have had to weigh the degree of need demonstrated with the adverse environmental effects to which I have already referred.

I have also considered whether the development of this coalfield can be justified on the grounds of the employment opportunities that it would create for mineworkers displaced by colliery closures in the north-west Leicestershire and south Nottinghamshire areas. I have concluded that the very important benefits which would accrue from the provision of such employment

[Mr. Michael Heseltine]

should be considered in the light of any fresh applications that the board may wish to make and in a time scale compatible with the employment requirements.

I have concluded that the need and employment arguments are not incompatible with the need to seek an alternative approach to the mining of this coalfield which gives more weight to the environmental objections, and I have therefore refused planning permission for the development of the Vale of Belvoir coalfield as set out in the present planning applications. This decision should not be seen as in any way going against Government policy that the coal industry has an essential and increasing part to play in meeting this country's future needs for energy provided that it is competitive and based on efficient high productivity capacity. I accept that the board might wish to submit new planning applications setting out revised proposals to exploit this massive national resource.

However, before doing so, I consider that the board should re-examine how the coalfield can be worked to minimise environmental disturbance and how the colliery waste can be disposed of other than by local surface tipping. I recognise that this second point has ramifications going beyond the board's interests, and I shall therefore be writing shortly to those principally concerned with a view to inviting discussions on how the spoil disposal problem can best be overcome. It is very important that these discussions should be pursued with vigour and brought to a conclusion as soon as possible. It is a matter for the board as to when new planning applications are submitted, and, provided the major environmental objections can be overcome, I would not anticipate that the procedures for handling these would need to be unduly prolonged.

There is one other point to which I should like to refer. The board submitted a single application covering all the underground coal extraction in Leicestershire, together with the three mine complexes and the three tips, and it has thus opted to stand or fall on a strategy of developing the coalfield as one project. I take the view that, in these circumstances, the granting of a permission for only part of the development would be in effect granting a permission for development which is significantly different in kind from the proposal which was the subject of this application. Had it not been for this, and had there been acceptable proposals for spoil disposal, I would have been minded to grant planning permission for mines at Asfordby and Saltby.

Mr. Gerald Kaufman (Manchester, Ardwick): Is the right hon. Gentleman aware that the statement that we have just heard is a lamentable confession of vacillation and delay? As my right hon. Friend the Leader of the Opposition has said, we shall want to debate the issue as soon as possible. Is it not a fact that it is three and a half years since the planning applications were submitted, nearly two years since the public inquiry ended and 15 months since the right hon. Gentleman received the inspector's report? How, in the light of that time scale, can he have the nerve to invite others to conduct discussions with vigour and bring them to a conclusion as soon as possible?

Is the right hon. Gentleman aware that the applications were supported at the public inquiry by the Department of Energy and the European Commission, that both

Leicestershire and Nottinghamshire county councils now support them, and that, as he has acknowledged, his inspector recommended in favour of them? Is it not a fact, as the leader of the Conservative Members of the European Assembly has said, that the development is vital to meet EEC energy needs? Does the right hon. Gentleman accept that without the Belvoir development the "Plan for Coal", on which our mining industry depends, will have a large hole blasted through it? Does the right hon. Gentleman realise that before the end of the decade more than 8,000 jobs in the mining industry will be lost through the exhaustion of pits in Leicestershire and Nottinghamshire, and that the development that he has rejected could replace nearly 4,000 of those jobs?

If the right hon. Gentleman is concerned about the environment, why has he gone to such lengths to protect a site which he says in his decision letter is important in regional terms, although not outstanding in national terms, while not lifting a finger to save major national sites of special scientific interest which are now being wrecked, such as West Sedgemoor, Romney Marshes and, worst of all, the internationally important site of Havergate Marshes, which is now awaiting destruction and is causing international concern?

Is the right hon. Gentleman aware that as a result of his statement today further delays are inevitable? It will take the National Coal Board another year to put together a fresh application. Will he give some assurances about the future time scale for a new inquiry and for a decision? Will that decision give the green light that is needed?

Is the right hon. Gentleman aware—[*Interruption.*] These are important matters involving jobs and Britain's future. Is the right hon. Gentleman aware that his environmental reasons for rejecting the applications are meagre and inconsistent and that his rejection is damaging to jobs, to coal, to the electricity supply industry and to Britain's industrial future?

Mr. Heseltine: The right hon. Gentleman should perhaps be careful before he challenges the Government on their attitude towards SSSIs. This is the first Government to do anything about SSSIs since the relevant legislation was put on the statute book in 1948. If he is to dismiss so lightly the environmental case for the preservation of the Vale of Belvoir, he will want to bear in mind the inspector's references to land of a character normally associated with a national park. That should be of as much concern to the right hon. Gentleman as shadow Secretary of State for the Environment, as it is to me.

The need for a debate has been raised with my right hon. Friend the Leader of the House, and it is for him to make a decision. This has been a difficult and complex decision and I have looked back to see what my predecessor, the right hon. Member for Stepney and Poplar (Mr. Shore), did in matters perhaps less complex than the one with which I have had to deal. It took the right hon. Gentleman rather longer to deal with the Liverpool Street station decision, and almost as long to deal with the Selby decision. I cannot accept that I have taken an unwarrantably long time, but I accept at once that I have taken a very full time in reaching a decision.

The right hon. Gentleman will know that although the inspector recommended that there should be mines in each of the three sites and that there should be no tipping at Hose and Saltby, he did not deal with the disposal of the

waste. He left that as one of the conclusions to be reached later. It seemed right that this was a matter to be resolved while the decisions were still to be made.

We then move on to perhaps the most important element of the questions asked by the right hon. Gentleman—what happens in the next stage? The House will remember that I said that I accepted that the coalfield in North East Leicester would be developed. I believe that we should move forward in the light of all the discussions and the public ventilation of the matters that there has been.

To ensure that we move forward as rapidly as possible I have made it clear that I intend to approach the principal parties to this matter, making officials in my Department available to ensure that no time is wasted. I am of the view that the employment opportunities—which are obviously of great concern to everybody—can be met within the time scale of the new possibilities that I am outlining to the House today.

I understand, of course, that it is of great concern to the people directly involved that that should be the case. The precise timing is not within my remit. It must depend upon the reaction of the National Coal Board. The board which must now decide which way to go, will read in my statement my view that this coalfield should be developed and will therefore welcome the fact that I am to make officials from my Department available to help the parties concerned overcome some of the obstacles.

Mr. Michael Latham (Melton): Is my right hon. Friend aware that while there will be considerable relief in my constituency following his statement, there will also be some disappointment over the fact that the matter is still not finally settled, because of the reluctance of the National Coal Board to submit three separate planning applications, which it specifically refused to do? Does my right hon. Friend realise that the broad hint that he has given to the House, that Hosc should be spared on environmental grounds, but that Saltby and Asfordby might be the subject of fresh applications by the board, with the strictest possible environmental conditions, might prove the basis for an honourable and acceptable compromise on one of the most difficult planning decisions since the war?

Mr. Heseltine: I thank the hon. Member for that helpful intervention. No one has shown more concern about these matters than he has. I was faced with one application, as my hon. Friend said. I took legal advice on whether I could separate the components of that application and reach different judgments. I was advised that it would not be proper or advisable for me to do so, and therefore I have had to take a general view. Within that general view I have tried to give the clearest indication that I am able, within my statutory responsibility, about the future use of this coalfield. The House will remember that I specifically said at the end of my statement that, in respect of Asfordby and Saltby, if tipping arrangements could have been dealt with I should have been minded to accept those as mines in the future.

Mr. David Steele (Roxburgh, Selkirk and Peebles): May I ask the Secretary of State to elaborate on his hint that two mines might be given the go-ahead in the future? Does this mean that we shall have to go through the whole

planning procedure again from scratch? If not, will he assist the House by giving us more detail on how that might be short-circuited?

May I also ask the right hon. Gentleman what quantity of the total coal resources available can be mined from these two mines, as distinct from the three for which application was made?

Where does the Department of Energy stand on this issue? If there is a further hold up in the development of the exploration of coal reserves, the assumption must be that there will be greater dependence on the development of nuclear power, with the environmental problems that that will create.

Mr. Heseltine: The right hon. Member raises a number of important points. I cannot judge what procedures will be necessary in advance of the application being submitted, but there is a range of options. The board will decide what applications to put in. It will be for me to decide whether I wish to call in those applications. I shall have to judge that in the light of the nature of the applications, whether I feel that new issues have to be considered and the number of people wishing to object.

The right hon. Gentleman asked about the proportion of coal that could be extracted from those two mines. That is a matter to which the board will wish to address its mind, but it is not just those two mines that might be the means of exploiting the coal resources. The right hon. Gentleman will be familiar with the Cotgrave pit, which is on the fringe of this coalfield, and there may be a number of other applications or procedures which the board will wish to ventilate. That must be for the board. The only point that I put to the House is that if the board is minded to go forward by considering proposals again—subject to the points I have made today—that are broadly those which have already been examined, the procedures may not be so drawn out as before. I cannot judge that until I see the way things unfold.

Mr. J. D. Concannon (Mansfield): I represent one of the finest areas in Nottinghamshire, mainly Sherwood Forest and the Dukeries. I remind the right hon. Gentleman that this area has probably one of the most productive and profitable coalfields not only in this country but in Europe. There is a continuity problem, as some of this area, especially in South Nottinghamshire, will be running out of coal in the near future. It is strange to hear the Secretary of State say that it is possible to have coalmines but that we must not tip the muck anywhere in Leicestershire. The right hon. Gentleman must know that coalmines have been closed, not because they have been uneconomic, but because it has not been possible to find tipping space. Where does the Secretary of State expect the board to tip the rubbish that it will get out of the coalmines?

Mr. Heseltine: The right hon. Member has raised two points. One related to his concern for the general quality of the environment surrounding the land traditionally associated with coal extraction. Many people in the area around the Vale of Belvoir, including large numbers of miners and their families—represented by many of the environmental groups at the public inquiry—treasure the access to magnificent countryside there and would greatly regret the intrusion of a tip 2 miles long and buildings 17 to 19 storeys high, because that would prejudice that environment for a certain time.

[Mr. Heseltine]

I have had to bear those facts in mind. I have had to ask whether the alternative means of disposing of the soil have been fully considered. There are two such examples that I put before the House. First, it has been suggested that the soil should be moved to Bedfordshire where there are empty brick-clay pits which are now in need of reclamation. If there were a way—and I cannot know whether, there is—of reclaiming that derelict land in Bedfordshire at the same time as using this spoil, it would be a constructive way forward.

Another point that should be carefully considered—although I understand that there are difficulties which we must finally resolve—is the one to which the inspector referred—the need for research into back stowage. I understand the difficulties, but I must be satisfied that this matter has been fully considered before a decision is reached.

Mr. Stephen Hastings (Mid-Bedfordshire): While making it clear to my right hon. Friend that slag heaps in Biggleswade or my constituency will be no more welcome than they would be anywhere else, may I ask whether he recognises that his decision will come as a considerable relief to the many and mounting number of people who are deeply disturbed at the rate of disappearance of farmland? From their reaction, it is clear that the Opposition do not care about it.

Mr. Concannon: We have lived with it for years.

Mr. Hastings: Is it not fair to say that the board has been among the principal predators in this direction and that the time has come for it to think again about its technology? Can my right hon. Friend say anything more about what he called the alternative approach? Will new technology be involved in the extraction or combustion? I am sure that the House will be interested to hear about that.

Mr. Heseltine: I understand my hon. Friend's concern about the disappearance of agricultural land. This is one of the matters that has led me to the judgment that I have taken on Asfordby, where we are dealing with class 1 agricultural land. I believe that the National Coal Board has a remarkable record in reclaiming many of its tips. The board's endeavours, supported by Governments of all parties, have earned great praise from the community at large.

Mr. Frank Haynes (Ashfield): Is the Secretary of State aware that his statement will be received with a sense of shock back in the coalfields? Those living in the coalfields, and myself in particular, feel that it is an example of party dogma. If the Duke of Rutland had been receiving the proceeds from coal coming out of the shafts, the pits would have been developed. Will the Secretary of State come clean? It is obvious that his hon. Friend the Under-Secretary of State has not provided him with an opportunity to see what pit working is all about and what has been happening for many years over the reclamation of pit tips. There are not the eyesores to which the right hon. Gentleman refers. Why does the Secretary of State not stop sitting around the Cabinet table talking of issues about which he knows nothing?

Mr. Heseltine: I understand how deeply people feel on these matters. I spent a considerable part of last week in

West Yorkshire, where the Labour leader of the West Yorkshire metropolitan county council showed me the problems of dereliction arising from mining. I understand that the policies of both parties is to eradicate such dereliction. It would be wrong to pretend that the desire to try to protect the environment while exploiting the natural resource of coal, is a desire that is restricted to any one party. I hope that the hon. Gentleman, on mature reflection, will realise that my decision will not come as a shock in the coalfields. I have said that the North-East Leicestershire coalfield will be developed. The only issue is how we deal with the complex problem of spoil disposal.

Mr. Stephen Dorrell (Loughborough): Is my right hon. Friend aware that the miners of North West Leicestershire will welcome his statement that he will put the resources of the Department at the disposal of the NCB to prepare a scheme for mining the Vale of Belvoir that will resolve the difficult conflicts that exist in the area? Can he assure me that he will stress to the officials of his Department the urgency of the situation for those miners working in pits with less than 10 years' life left in them?

Mr. Heseltine: I am sure that large numbers of miners will recognise that I am trying to secure for them the job opportunities that this resource presents, while at the same time protecting the environment, which is a matter of as much concern to them as it is to me. My hon. Friend is right. I am enabling officials of my Department to work alongside those who have eventually to put forward proposals. This must be an earnest of my determination that there should be no undue delay.

Mr. Dennis Skinner (Bolsover): On the issue of stowing the rock that comes out of the pits, will the right hon. Gentleman accept that one reason for moving away from the packing system many years ago to the system that operates in most coalfields now was to achieve greater efficiency? That explains why much of the stone now comes up the pit notwithstanding the fact that many new developments have taken place to try to get rid of it. Will the right hon. Gentleman bear in mind that the National Coal Board has got rid of tips where pits have been closed in the course of the past 20 years and that it has also got rid of many of the eye sores that existed in private enterprise days?

The right hon. Gentleman referred to the disfigurement of the skyline and the environment by the development of shafts and drift mines. Will he remind his colleagues in the Cabinet that when it comes to allowing the Americans to instal cruise missile sites, there seems to be a completely different attitude towards disfigurement of the environment and the landscape?

Mr. Heseltine: I am sorry that the hon. Gentleman should seek to introduce wholly irrelevant and rather extreme Left-wing views into the issue. I accept his view that the problems of back stowage exist. I believe that it is incumbent on me, as Secretary of State for the Environment, to be sure that they are fully examined before reaching a decision.

Mr. Douglas Hogg (Grantham): I am sure that my right hon. Friend will be aware that my constituents in Grantham will want to be sure that any future application in regard to Saltby is given careful and detailed consideration and is not passed over lightly. Will my right

hon. Friend consider giving an undertaking that he will call in any future application that may be made in regard to Saltby?

Mr. Heseltine: I understand my hon. Friend's concern. I cannot give him the assurance that he seeks. Until I see the application and the issues involved, it would be wrong for me to prejudge the issues.

Several Hon. Members rose—

Mr. Speaker: Order. I propose to call those hon. Members who have been rising, before moving on to our next business.

Mr. Allen McKay (Penistone): Does the Minister realise that his statement will cause concern not only in the coalfields that he has mentioned, but throughout the coal industry? It means a change of emphasis and a shift in direction by the Government over the future energy supplies of this country. Will he confirm that by the time the planning applications, to which there will be objections, have been resolved, about 8,000 men will be out of work?

Does the right hon. Gentleman recognise that the repercussions will affect not only collieries but manufacturers of mining machinery, who had been looking for orders? Is he aware that hundreds of men employed in the manufacture of mining machinery will be thrown out of work? Is he aware also that there are facilities available for the disposal of dirt in Bedfordshire, but that the missing element is money? Will he say whether the money will be provided? Will he take the opportunity to go underground to see for himself why back stowing is impossible in retreat mining?

Mr. Heseltine: The hon. Gentleman will know that the inspector who conducted the inquiry recommended that there should be more research into back stowing. It would seem to me that as he sat through the inquiry and received all the evidence, I had to take note of that recommendation. I hope that the hon. Gentleman will not repeat outside the House the statements that he has made in the Chamber. They are not based on any fact. There is no change of emphasis. I have made clear my views that this coalfield is to be developed. There is no justification for the unemployment forecasts that the hon. Gentleman has made. They are conjured out of the air.

Mr. John Farr (Harborough): I assure my right hon. Friend that his statement will be widely welcomed in the district, not because anyone is anti-coal mining, but because this area, not least the Vale of Belvoir, is a particularly valuable and important agricultural asset. Will my right hon. Friend give an assurance that before the vale is mined, as eventually may be the case, full environmental safeguards will be employed to make sure that damage to the environment is as small as possible?

Mr. Heseltine: I know of my hon. Friend's concern. I hope that when he studies the decision letter that I have issued today he will find that I have taken into account the environmental considerations to which he attaches great importance, as I do. I have to balance that with the need to consider the job opportunities and the development of this important national asset.

Mr. Alex Eadie (Midlothian): Whatever the right hon. Gentleman may tell the House, his announcement of refusal is a prescription for delay and also a prescription

for increasing substantially the cost of coal. The right hon. Gentleman talked of matters being commensurate with cost. He referred to the new application being timed and the development being timed commensurate with the time scale of likely employment. I wonder how well the right hon. Gentleman has been advised. Does he not recognise the long lead times involved in mining development? People in this area cannot wait years for the development to go ahead. I hope that the right hon. Gentleman will consult the Department of Energy who will advise him that the project needs to go ahead now. Is he aware that his announcement is a national scandal?

Mr. Heseltine: The hon. Gentleman has not listened carefully to what I said. I intend shortly to write to the people who are most immediately involved. There is no way in which I can control the time that it takes the National Coal Board to submit its applications. It is for the board to initiate any application. It is the board that has to carry out the extraction policies. If the matter comes to me, I shall respond to the board as quickly as possible thereafter.

Mr. Tim Eggar (Enfield, North): Is my right hon. Friend aware that his announcement that two mines may be permitted to go ahead will be welcomed by all of us on this side of the House who are committed to the long-term future of the coal industry? Should the NCB not come up with environmentally acceptable proposals, will my right hon. Friend consider contacting other private sector entities, which might be able to come up with such proposals?

Mr. Heseltine: I have to make it clear to my hon. Friend that it is not a matter for me, as the planning authority, to contact anybody to initiate applications. The question of who extracts coal is established Government policy. It would be for my right hon. Friend the Secretary of State for Energy to announce any changes, of which I am currently not aware.

Mr. Edwin Wainwright (Dearne Valley): Does the right hon. Gentleman realise that his sad, solemn facial expression will not get across to the miners? Does he agree that he is under pressure from his hon. and right hon. Friends not to go ahead with this important part of the coal mining industry? How does he know that the Vale of Belvoir will not have the same opportunity as Selby to keep in dirt? Has he considered sending the dirt to the shafts which have been left at the claypits in Bedfordshire and similar areas? Does he realise that if he carries on like this the pits in Leicestershire will close and men will be out of work because they cannot develop this very important seam?

Mr. Heseltine: That must be the fifth time that that question has been asked, and I have answered it every time. The hon. Gentleman is trying to make points that have no basis in the terms of the decision that I have announced today.

Mr. Peter Hardy (Rother Valley): The House will have noted the Secretary of State's concern for the environment. May we hope that it will be made tangible by support for those agencies that are charged with public concern for environmental matters? Will he make it clear to the House that the application submitted by the NCB revealed more concern for environmental protection in mining operations than has ever previously been seen?

[Mr. Peter Hardy]

Will he accept that it is an essential operation? Given his concern for the environment, may we take it that the people of the Yorkshire coalfields will receive the same degree of consideration as those in the Dukedom of Belvoir?

Mr. Heseltine: The hon. Gentleman will know that I have increased the amount of derelict land grant for next year to a record sum. My commitment is in advance of anything that his Government ever did.

One has to balance all considerations. I believe that the environmental issues surrounding the extraction of coal can be solved, and it is important to ensure that every effort is made to do so. I believe that there are certain matters still to be explored. Nobody can question my determination to explore them once they realise that I am to make available officials in my Department to have active discussions with those responsible for extracting coal.

Middle East

Mr. Ernie Ross (Dundee, West): I beg to ask leave to move the Adjournment of the House under Standing Order No. 9 for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the serious threat to peace in the Middle East."

The specific instance is the dismissal by the Israeli military authorities of the democratically elected mayors of Nablus, Bassam Shakaa, and Karim Khalaf of Ramallah. I suggest that the House should adjourn to discuss the matter. Allied to that is the shooting yesterday of an unarmed, 17 year-old Palestinian by an Israeli settler.

I suggest that is a further reason why the House should give me leave to move the Adjournment. The continual dismissal of democratically elected mayors must give rise to serious concern about the total breakdown of the civilian administration in the occupied territories. The Israeli decision is a clear breach of article 54 of the Geneva convention concerning the power of occupying forces. Television has demonstrated, and the House has witnessed, armed Israeli civilians firing on crowds of Arab youngsters and elderly women. It must pose a serious threat to peace in the Middle East if the oppressed Palestinian people seek to defend themselves. The decision of about 30 Arab policemen in Jerusalem to resign is a further example of the breakdown of the civilian administration of the West Bank. That breakdown could as easily lead to civil war.

The House last specifically debated the Middle East on Friday 9 March 1979 although the matter has arisen since during various foreign affairs debates. There was to be a debate on 22 December 1981 but that debate did not take place.

The House knows that we decided to participate in the Sinai peacekeeping force. I believe that it is important that the House should have a guarantee of the safety of the individuals in that peacekeeping force.

The other matter that should concern this House as a matter of urgency is the fact that the Foreign Secretary will visit Israel on Wednesday. Before that visit takes place I believe that the House should have the opportunity to express its abhorrence and concern at the way the Israeli authorities carry out their civilian-occupying administration on the West Bank.

Mr. Speaker: The hon. Gentleman gave me notice before 12 o'clock this morning that he would seek leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely, "the serious threat to peace in the Middle East." He submitted in his letter the reasons he has outlined to the House in moving this motion.

He knows, and the House knows, that under Standing Order No. 9 I am directed to take into account the several factors set out in that Order but to give no reasons for my decision. I have listened with care to the hon. Gentleman, but I must rule that his submission does not fall within the provisions of that Standing Order, and therefore I cannot submit his application to the House.



Department of the Environment
2 Marsham Street London SW1P 3EB

Direct line 01-212
Switchboard 01-212 3434

The Secretary
National Coal Board
Hobart House
Grosvenor Place
LONDON
SW1X 7AE

Your reference

Our reference
M/183/21
Date

25 March 1982

Sir

TOWN AND COUNTRY PLANNING ACT 1971

APPLICATIONS BY THE NATIONAL COAL BOARD IN RESPECT OF THE VALE OF BELVOIR

1. I am directed by the Secretary of State for the Environment to refer to the National Coal Board's applications to:-

- a. the Melton Borough Council for:-
 - i. planning permission for the winning and working by underground methods of coal situated within such parts of the seams described below as are within the Melton District, and the execution underground of such works as are requisite or convenient for that purpose, and for the carrying out of building and engineering operations including the deposit of spoil for the purposes of the underground mining and the development described in ii. below;
 - ii. planning permission for the erection of buildings relating to the winning and working of coal by underground methods at the sites of 3 mines on the land shown bounded by a red line on Plans Nos. 6, 7 and 8 in the Supplementary Statement accompanying the application;
- b. the Rushcliffe Borough Council for planning permission for the winning and working by underground methods of coal lying within such parts of the seams described below as are within the Rushcliffe District, and the execution underground of such works as are requisite or convenient for the purposes of such winning and working;
- c. the South Kesteven District Council for planning permission for the winning and working by underground methods of coal lying within such parts of the seams described below as are within the South Kesteven District, and the execution underground of such works as are requisite or convenient for the purposes of such winning and working.

The seams to which the applications referred to in Paragraphs a.i, b and c above relate are the Top Bright (including the Cinderhill main leaf of the Top Bright), Dunsil/Waterloo, Deep Main, Parkgate and Blackshale seams lying within the area of land shown edged and coloured red in Plan No. 1 in the Supplementary Statement accompanying each of these applications.

2. I am also to refer to the Secretary of State's direction of 23 January 1979, given in pursuance of section 35 of the Town and Country Planning Act 1971, that the applications be referred to him for decision instead of being dealt with by the local planning authorities.

3. I am further directed by the Secretary of State to refer to the public inquiry conducted by his Inspector, Mr Michael Mann QC, on 30 October 1979 to 2 May 1980 at which the Inspector was accompanied by 2 assessors, Mr R K Taylor MSC PhD CEng FIMM FGS and Mr S W Midwinter RIBA FRPI. A copy of the Inspector's Report is enclosed. The Inspector's principal conclusions and his recommendations are set out in Chapter 17 of his report and are reproduced at Annex 1 to this letter.

4. The Inspector recommended that:-

- i. planning permission should be granted to mine the Vale of Belvoir coalfield in accordance with the applications;
- ii. outline planning permission should be granted to construct mines at Asfordby, Hose and Saltby;
- iii. outline planning permission should be granted to construct a tip at Asfordby;
- iv. the permissions should be subject to the conditions recommended in Chapter 16 of his report;
- v. permission should be refused for the construction of tips at Hose and Saltby.

ENVIRONMENTAL EFFECTS

5. The Secretary of State has carefully considered all of the issues in the Inspector's report, and notes his conclusions. He agrees with the view expressed at the inquiry and endorsed by the Inspector that visually the area proposed to be mined is important in regional terms, although not outstanding in national terms; and he accepts the point made in evidence by the Countryside Commission that the East Midlands is not well endowed with areas of attractive countryside and that this factor increases the value and importance of the Vale of Belvoir. He endorses the Inspector's assessment that the attractive eastern parts of the area reach the quality generally expected to be found in a national park and that the escarpment crowned with the Harby Woods is also a feature of considerable attraction.

6. It appears to the Secretary of State that the main impact of the proposed development, particularly from the visual standpoint, would result from the mine buildings and the three spoil tips. He notes the Inspector's view that there is no reason in principle why the mine buildings should not become acceptable visual elements in their proposed settings and that there would be no serious or widespread damaging effect on the area as a whole. He does not accept that view. As the Inspector says, the buildings would incorporate structures equivalent to 17-19 storey tower blocks which could not be effectively screened from many places, and therefore they would be visible over wide areas. This is particularly true of the Hose complex as the Inspector himself notes in Paragraph 9.8.10 of his report. The Inspector goes on to say that the escarpment provides a suitable background screen which would contain the visual intrusion and provide some visual context for the placing of buildings in a way which he finds acceptable. The Secretary of State notes this, but he prefers the evidence given at the inquiry to the effect that the shaft towers would dominate a wide area and that the surface developments would be alien in the Vale. He therefore believes that the proposals to develop a mine complex at Hose are unacceptable. At Asfordby and Saltby, he does not consider that the impact of the mine complexes would be sufficiently strong to warrant a refusal of permission on these grounds alone.

7. The Secretary of State fully accepts the Inspector's conclusion that tipping operations at Hose and Saltby, which would continue for upwards of half a century, would in visual terms be totally unacceptable and that noise would be a problem. So far as the final forms of these tips are concerned, the Inspector considered that the one at Saltby would be unacceptable but was not persuaded that the final form of the Hose tip would necessarily be unacceptable. The Secretary of State accepts the Inspector's conclusion on the Saltby tip but so far as Hose is concerned he agrees with the views of the Alliance that it would mar the contrast of the steep escarpment face with the sweep of the valley and would destroy one of the finest landscape features of Midland England. The Secretary of State therefore concludes that the final form of the tip at Hose would be equally unacceptable.

8. With regard to the tip at Asfordby, the Secretary of State accepts the Inspector's conclusions in relation to noise and visual impact but he is concerned with the impact of tipping operations on agriculture. Government policy for the protection of agricultural land, set out in Circular 75/76, is to ensure that as far as possible land of a higher agricultural quality is not taken for development where land of a lower quality is available and that the amount of land taken is no greater than is reasonably required for carrying out the development in accordance with proper standards. The Secretary of State in his consideration of the proposed development as a whole attaches more weight to this policy than does the Inspector.

9. The Secretary of State therefore concludes that the Board's proposals for tipping at Hose and Saltby are unacceptable as they stand. He is also concerned about the impact of tipping at Asfordby. He is of the opinion that before local tipping at any of the three sites could be contemplated the possibility of remote disposal of spoil, for example in Bedfordshire, should be explored in greater detail between all the bodies involved and, in addition, further research could usefully be undertaken into the question of underground disposal of waste, as mentioned by the Inspector.

NEED

10. The Inspector's view on need was that it is somewhat more likely than not that there will be a need for a supplement to indigenous deep-mine capacity at about the time the Belvoir coalfield could become fully operational. He took this view on the basis of his assessment of a number of factors (listed in paragraph 4.11.1 of his Report) and stated that he was unable to refine his opinion by suggesting the year in which the need would arise or the exact extent of that need. The Secretary of State accepts that the coal will be needed at some time in the future, but he is not convinced on the information at present before him that the degree of need demonstrated outweighs the adverse environmental effects considered in paras 5-9 above.

EMPLOYMENT

11. The Secretary of State notes that the National Coal Board drew attention to the fact that the opening of the Belvoir coalfield would afford an opportunity to employ mineworkers who would be made redundant by colliery closures in the South Nottinghamshire and South Midlands areas. He also notes the evidence presented by the NUM, also acting on behalf of the other mining unions, that the development of the Vale of Belvoir coalfield would ameliorate the effect of the impending colliery closures in the NW Leicestershire and South Nottinghamshire areas. Accordingly the Secretary of State has considered whether the development of the Vale of Belvoir can be justified on the grounds of the employment opportunities it will create for mineworkers. He has concluded that the very important benefits which would accrue from the provision of such employment will need to be considered in the light of any fresh applications that the NCB may wish to make, and which can be made within a timescale compatible with the employment requirements. Full account can then be taken of the balance between the environmental effects and the need for the development.

12. For the reasons set out in paragraphs 5 to 11 above the Secretary of State hereby refuses planning permission for the development of the Vale of Belvoir coalfield as set out in the planning applications recited at paragraph 1 above.

13. The Secretary of State fully accepts the need to ensure that the nation has adequate and secure sources of energy to meet prospective requirements and he notes that the Department of Energy argued at the inquiry that if the coal industry is competitive and based on efficient high productivity capacity, it will have an essential and increasing part to play in meeting our future needs for energy. He also accepts that the NCB might wish to submit new planning applications relating to revised proposals to exploit this massive national resource.

14. The Secretary of State considers that before any such applications are submitted the Board should examine whether, since the construction of a mine at Hose is environmentally unacceptable, they would wish to proceed to develop the coalfield with mines at Asfordby and Saltby or whether other environmentally acceptable sites could be found which would also meet the Board's operational requirements. In addition, the Board should investigate in detail possible ways of disposing of colliery waste other than local surface tipping. The Secretary of State will shortly be writing to propose discussions amongst those principally concerned (and in which the appropriate officials from this Department would participate) on how some of the present environmental problems associated with the development of this coalfield, particularly spoil disposal, can be overcome.

15. The Secretary of State has considered the point raised by the Inspector in paragraph 17.7.2 of his report relating to the granting of a partial permission. The Board submitted one application covering all of the underground coal extraction in Leicestershire together with the three mine complexes and the three tips, and they have thus opted to stand or fall on a strategy of developing the whole coalfield as one project. The Secretary of State takes the view that in these circumstances the granting of a permission for only part of the development would be in effect granting a permission for development which is significantly different in kind from the proposal which was the subject of the application. This may be a point which the Board would wish to bear in mind in future.

16. The Secretary of State acknowledges that it has taken a long time to determine this application since the Inspector's Report was received in November 1980. While it is his firm policy to ensure that planning applications and appeals are processed expeditiously, this case raised a number of complex issues which it was important to explore fully before any decision was taken.

17. Your attention is drawn to the attached memorandum relating to the provisions of section 245 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant

Paul F Everall

P F EVERALL
Authorised by the Secretary of State
to sign in that behalf

CHAPTER 17: CONCLUSIONS AND RECOMMENDATIONS

17.1.1 In previous chapters of this Report I have set out my conclusions upon particular topics. I now draw my principal conclusions together and express my opinion on the matters which were before me. In forming my opinions I have considered my conclusions upon particular matters both individually and cumulatively.

17.2.1 I am of the opinion upon the evidence that it is somewhat more likely than not that there will be a need for a supplement to indigenous deep-mine capacity at about the time (1995) NELP could become fully operational (see para 4.11.2).

17.2.2 I cannot refine my opinion by suggesting the year in which the need will occur or that the need will be for (say) 5 Mta rather than 7.2 Mta (see para 4.11.2).

17.2.3 I am of the opinion that such need as there may be for more indigenous deep-mine capacity in the 1990s can be met only by the exploitation of NELP (see para 4.11.3).

17.3.1 I am of the opinion that there is neither a factor nor a combination of factors which has sufficient weight to justify withholding permission to mine NELP. In particular the likely severity of subsidence damage and the likely impact on agriculture are not reasons for a refusal of permission (see paras 6.16.1 and 8.4.4).

17.4.1 I am of the opinion that the 3 selected mine sites represent the best compromise between operational and environmental factors. The development of the 3 sites would be acceptable in visual terms (see para 9.8.10) and the operation of the sites would not have unacceptable consequences in terms of road and rail traffic (see paras 12.7.1 and 12.8.3), atmospheric pollution, dust, noise, vibration or water pollution (see chapter 13).

17.5.1 I am of the opinion that the manner in which NCB proposes to exploit NELP is a sensible one (see para 10.1.1).

17.6.1 I am of the opinion that the proposal to deposit spoil at Asfordby is acceptable. An agricultural objection cannot be justified in economic terms (see para 8.5.2); the noise impact would not be significant (see para 13.3.11), and there would be no visual objection (see para 9.11.10).

17.6.2 I am of the opinion that the construction of the tip proposed at Hose would in visual terms be totally unacceptable (see para 9.11.18). The construction could also give rise to a problem in regard to noise (see para 13.3.11) but this is not of itself a ground for a refusal of permission.

17.6.3 I am of the opinion that both the construction of the tip proposed at Saltby and the final form of that tip would in visual terms be totally unacceptable

(see para 9.11.23). The construction could also give rise to a problem in regard to noise (see para 13.3.11) but this is not of itself a ground for a refusal of permission.

17.6.4 In my opinion there is no inconsistency between my conclusion that it is somewhat more likely than not that there will be a need for NELP coal in the mid 1990s and my rejection of the 2 tips. Local tipping of spoil may be a traditional concomitant of deep mining (insofar as it produces spoil) but (unlike subsidence) it is not an inevitable concomitant of mining. The traditional solution should not be adopted at Hose and Saltby. If the rejection of the traditional solution means a delay in the winning of NELP coal or a reduction in the yield of NELP then I am of the opinion that the case on need is neither sufficiently definite in point of time nor strong enough in terms of quantity to warrant the environmental harm which would be caused by the 2 tips.

17.7.1 I recommend:

- (i) Planning permission should be granted to mine NELP in accordance with the applications.
- (ii) Outline planning permission should be granted to construct mines at Asfordby, Hose and Saltby.
- (iii) Outline planning permission should be granted to construct a tip at Asfordby.
- (iv) The permissions should be subject to the conditions which I have recommended in chapter 16.
- (v) Permission should be refused for the construction of tips at Hose and Saltby.

17.7.2 If my recommendations are accepted then the method of giving effect to them is a matter for legal advice.⁽¹⁾

Footnote:

1. See Kent CC v Secretary of State for the Environment (1976) 33 P&CR 70. The matter was discussed at 83/79/C-81/B and 84/6/H-7/A.

VALE OF BELVOIR

PARLIAMENTARY STATEMENT BY THE SECRETARY OF STATE

With your permission, Mr Speaker, I should like to make a statement setting out my decision on the National Coal Board's planning applications to exploit what has become known as the Vale of Belvoir coalfield.

In August 1978, the Board submitted a planning application to Melton Borough Council for permission to work that part of the coalfield which lies under Leicestershire, to construct three mines at Hose, Saltby and Asfordby, and to tip spoil adjacent to these three sites. At the same time, applications were made to Rushcliffe Borough Council and South Kesteven District Council for permission to work those parts of the coalfield which lie under Nottinghamshire and Lincolnshire respectively. These applications were called in by my predecessor, the Rt. Hon. Member for Stepney and Poplar, in January 1979.

A public local inquiry was conducted on my behalf by Mr Michael Mann QC assisted by two assessors. I should like to record my gratitude to Mr Mann and his two colleagues for the way they conducted the inquiry and for the report, a copy of which I have placed in the Library together with a copy of my decision letter which is being issued today.

The Inspector recommended that planning permission should be granted for the development of the coalfield and the construction of all three mines, but that permission should be refused for the proposed spoil tip at Hose and Saltby.

I have carefully considered all of the issues in the Inspector's Report. I agree with the Inspector that the Board's proposals for tipping at Hose and Saltby are unacceptable as they stand, but in addition I am

concerned about tipping at Asfordby because of its impact on agriculture. I have concluded that before local tipping at any of the three sites could be contemplated the possibility of other methods of spoil disposal should be further examined.

I have also concluded that the development of a mine complex at the proposed Hose site is environmentally unacceptable. Mine buildings here on the scale proposed would dominate a wide area, and would be alien to the Vale.

The Inspector concluded that it was somewhat more likely than not that there will be a need to supplement indigenous deep-mine capacity at about the time the Belvoir coalfield could become fully operational, but he felt unable to refine his opinion by suggesting the year in which the need would arise or the exact extent of that need. I accept that the coal will be needed in the future, but I have had to weigh the degree of need demonstrated with the adverse environmental effects to which I have already referred.

I have also considered whether the development of this coalfield can be justified on the grounds of the employment opportunities it would create for mineworkers displaced by colliery closures in the North-West Leicestershire and South Nottinghamshire areas. I have concluded that the very important benefits which would accrue from the provision of such employment should be considered in the light of any fresh applications the Board may wish to make and in a timescale compatible with the employment requirements.

I have concluded that the need and employment arguments are not incompatible with the need to seek an alternative approach to the mining of this coalfield which gives more weight to the environmental objections, and I have therefore refused planning permission for the

development of the Vale of Belvoir coalfield as set out in the present planning applications. This decision should not be seen as in any way going against Government policy that the coal industry has an essential and increasing part to play in meeting this country's future needs for energy provided that it is competitive and based on efficient high productivity capacity. I accept that the Board might wish to submit new planning applications setting out revised proposals to exploit this massive national resource.

However, before doing so, I consider that the Board should re-examine how the coalfield can be worked to minimise environmental disturbance and how the colliery waste can be disposed of other than by local surface tipping. I recognise that this second point has ramifications going beyond the Board's interests, and I shall therefore be writing shortly to those principally concerned with a view to inviting discussions on how the spoil disposal problem can best be overcome. It is very important that these discussions should be pursued with vigour and brought to a conclusion as soon as possible. It is a matter for the Board as to when new planning applications are submitted, and, provided the major environmental objections can be overcome, I would not anticipate that the procedures for handling these would need to be unduly prolonged.

There is one other point to which I should like to refer. The Board submitted a single application covering all of the underground coal extraction in Leicestershire, together with the three mine complexes and the three tips, and they have thus opted to stand or fall on a strategy of developing the coalfield as one project. I take the view that, in these circumstances, the granting of a permission for only part of the development would be in effect granting a permission for development which is significantly different in kind from the proposal which was the subject of this application. Had it not been for this, and

had there been acceptable proposals for spoil disposal, I would have been minded to grant planning permission for mines at Asfordby and Saltby.



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

01-211 6402

JSU

(2)

Prime Minister

A draft which
pays much more regard
to NCB/NUM sensitivities.

MCS 24/3

Mrs H F Ghosh
Private Secretary to the
Secretary of State for the
Environment
2 Marsham Street
London SW1

24 March 1982

Dear Helen,

My Secretary of State was grateful for your letter yesterday enclosing a copy of the draft statement on Belvoir.

He is very concerned to minimise the potential for adverse reactions from the NCB and NUM and has therefore suggested some amendments to the statement which are incorporated in the attached redraft. He very much hopes that your Secretary of State will be able to accept these amendments.

I am copying this letter to the Prime Minister and to the other recipients of yours.

Yours sincerely,

JANET CHADWICK
Private Secretary

VALE OF BELVOIR

PARLIAMENTARY STATEMENT BY THE SECRETARY OF STATE

With your permission, Mr Speaker, I should like to make a statement setting out my decision on the National Coal Board's planning applications to exploit what has become known as the Vale of Belvoir coalfield.

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A public local inquiry was conducted on my behalf by Mr Michael Mann QC assisted by two assessors. I should like to record my gratitude to Mr Mann and his two colleagues for the way they conducted the inquiry and for the report, a copy of which I have placed in the Library together with a copy of my decision letter which is being issued today.

The Inspector recommended that planning permission should be granted for the development of the coalfield and the construction of all three mines, but that permission should be refused for the proposed spoil tip at Hose and Saltby.

I have carefully considered all of the issues in the Inspector's Report.

I agree with the Inspector that the Board's proposals for tipping at Hose and Saltby are unacceptable as they stand, but in addition I am concerned about tipping at Asfordby because of its impact on agriculture. I have concluded that before local tipping at any of the three sites could be contemplated the possibility of other methods of spoil disposal should be further examined.

The Inspector concluded that it was somewhat more likely than not that there will be a need to supplement indigenous deep-mine capacity at about the time the Belvoir coalfield could become fully operational. I accept that the coal will be needed in the future, but I have had to weigh this against the adverse environmental effects to which I have already referred.

I have also considered whether the development of this coalfield immediately can be justified on the grounds of the very important benefits from the employment opportunities which would be created for mineworkers displaced by colliery closures in the North-West Leicestershire and South Nottinghamshire areas.

I have concluded that the development of a mine complex at the proposed Hose site is environmentally unacceptable. Mine buildings here on the scale proposed would dominate a wide area, and would be alien to the Vale. The Board submitted one application covering all of the underground coal extraction in Leicestershire together with the three mine complexes and the three tips, and they have thus opted to stand or fall on a strategy of developing the whole coalfield as one project. In these circumstances the granting of a permission for only part of the development would be in effect granting a permission for development which is significantly different in kind from the proposal which was the subject of the application.

I have also concluded that the need and employment arguments are fully compatible with seeking an alternative approach to the exploitation of this massive national resource which gives more weight to the environmental objections. I consider that the Board should re-examine how the coalfield can be worked to minimise environmental disturbance and possible ways of disposing of colliery waste other than by local surface tipping. I recognise that this second point has ramifications going beyond the Board's interests, and I shall therefore be writing shortly to those principally concerned with a view to inviting them to early discussions on how the spoil disposal problem might be overcome.

I have therefore refused planning permission for the development of the Vale of Belvoir coalfield as set out in the present planning applications. This decision should not be seen as in any way going against Government policy that the coal industry has an essential and increasing part to play in meeting this country's future needs for energy provided that it is competitive and based on efficient high productivity capacity. I accept that the Board will no doubt wish to submit new planning applications setting out revised proposals to exploit this massive national resource, which would either involve renewed applications for mines at Asfordby and Saltby or other environmentally acceptable sites which would meet the Board's operational requirements.

4 MAR 1982

