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My ref:

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The Rt Hon John MacGregor OBE MP
Ministry of Agriculture, Fisheries
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Whitehall Place
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10 June 1988

Dear John

THIRD REPORT OF THE ENVIRONMENT COMMITTEE: POLLUTION OF RIVERS AND ESTUARIES

Thank you for your letter of 3 June 1988 on our draft response to the Committee.

I agree that the tone of the paragraph on health risks from nitrate (paragraph 1.10) is important. I have to say, however, that medical advisers have some difficulty with the redraft you have provided, and consider that the present draft more fairly represents the position. I have now seen the letter of 1 June from No.10 indicating that the Prime Minister is happy with the response subject to a redraft of the final sentence of paragraph 1.10 and consequently I propose to take this amendment on board.

On water environment protection zones, we do not take the view that the concept is unworkable; but as the present draft of paragraph 1.15 suggests we believe there may exceptionally be circumstances in which protection zone powers are needed to safeguard environmental water quality - for example, where fisheries were being severely damaged. However, we no longer see the need to make separate statutory provision for Water Environment Protection Zones and Water Source Protection Zones in the Water Bill, as at one stage seemed necessary. The existing scope of s31(5) of the Control of Pollution Act is adequate for protecting both potable water supplies and rivers and estuaries generally, and we will carry that forward in the new bill. I suggest that the last clause of paragraph 1.15 should read:

"undertakers; and re-enactment of the existing provisions of s31(5) of COPA which would allow, inter alia, environmental protection zones to be established where environmental water quality is particularly at risk."



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I note what you say about our wish to have a single public inquiry stage for protection zones rather than the present cumbersome procedures. This is something for our officials to pursue separately. We shall obviously avoid any statements on how the procedures are to be streamlined until the issues are resolved.

Finally, the allocation of farm capital grants to waste management and other purposes is mainly for you and I therefore accept your proposed deletion of the last sentence of paragraph 3.17. You will however recognise my own concern at the continuing rise in agricultural pollution incidents, highlighted in the 1987 survey just published. In the light of these results, I am pleased that you have been able to agree to the introduction of regulations under section 31(4) of the Control of Pollution Act, governing the storage of silage and slurry, and hope that our officials can make rapid progress in this area.

I am copying this letter to the Prime Minister, members of E(A) and to Sir Robin Butler.

Nicholas Ridley

NICHOLAS RIDLEY

