



CCP  
PRIVY COUNCIL OFFICE  
WHITEHALL, LONDON SW1A 2AT

16 November 1989

26pm

John Marsh

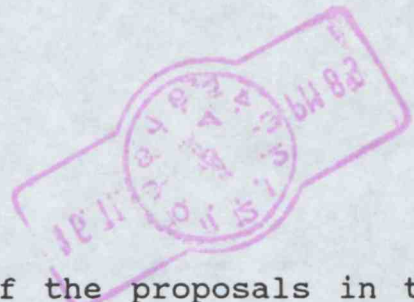
**ENVIRONMENTAL PROTECTION BILL - CONSERVATION AGENCIES**

As I mentioned in our brief talk at the back of the Chair yesterday, concern was expressed at the business managers meeting with Chris Patten yesterday about the implications of including in next session's Environmental Protection Bill the proposed provisions splitting the Nature Conservancy Council (NCC) into separate conservation agencies for England, Scotland and Wales. I should be glad of an early opportunity to discuss this issue with Chris, Peter Walker and yourself.

I am familiar with the history of this proposal and have seen the minutes of the H Committee meeting last June at which policy approval was given to it. The concern expressed at my meeting was twofold. First, the inclusion of these provisions in the Bill will bring conservation issues within its scope. This is inherently undesirable, given the already broad sweep of the Bill and the wide range of additional issues which could thereby be brought into the debates on it, especially in the House of Lords. Secondly, while the proposal has, I understand, been generally welcomed in Scotland and Wales, it has been very strongly criticised not only by the NCC itself but by the majority of GB and English voluntary conservation bodies, and by much of the national media. This is bound to mean that the debates on these clauses of the Bill will be highly controversial, again especially in the House of Lords.

The major criticisms have included the need to retain the science base built up by the NCC and the threatened loss of the NCC's overview role at GB and international level. I understand from what you said that Chris Patten and you are working up proposals to meet these criticisms, and that you have some confidence that they will go a long way towards satisfying the critics; but that must remain open to question.

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My concern remains that the inclusion of the proposals in the Bill will severely hamper its swift and successful passage. I should be glad therefore if we could meet with Chris Patten and Peter Walker as quickly as possible to discuss the structure and position of the proposals in relation to the Bill and whether some alternative, less contentious way forward is possible.

My Private Secretary will be in touch about the arrangements for our meeting.

I am copying this letter to the Prime Minister, members of H Committee and of MISC 141, Sir Robin Butler and First Parliamentary Counsel.

GEOFFREY HOWE

The Rt Hon Malcolm Rifkind QC MP