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bc. Mr. Redwood  
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15 March 1984

*From the Private Secretary*

Inquiry Procedures

The Prime Minister has seen a copy of the Lord Chancellor's paper (H(84)11) on the Archway Inquiry, which was considered by H Committee on 14 March. She has also noted from the minutes of that meeting that your Secretary of State will be considering further both the confidential guidelines for inspectors and the question of whether any change in the law is required.

The Prime Minister hopes that in considering these matters your Secretary of State will examine the case for substantial reform. There is widespread concern, which the Prime Minister shares, about not only the disruption of major inquiries but also their cost and length of time which they take. Mrs Thatcher feels that inquiry procedures have become unduly protracted, and she would be grateful if your Secretary of State could consider in particular the possibility that each interested group at an inquiry should be given a specified amount of time to make their case. She would also be grateful if he could look at how these matters are handled abroad, especially in the United States where she recalls that the inquiry into the use of Concorde at US airports was very expeditious.

I am sending copies of this letter to Janet Lewis-Jones (Lord President's Office), to the Private Secretaries to the members of H Committee and to Richard Hatfield (Cabinet Office).

(David Barclay)

John Ballard, Esq.,  
 Department of the Environment.

*dr*





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2 MARSHAM STREET  
LONDON SW1P 3EB  
01-212 3434

*Prime Minister*

My ref:

*To note*

Your ref:

27 March 1984

*Dear David,*

*A 30/3*

*mf*

Thank you for your letter of 15 March to John Ballard, expressing the Prime Minister's concern about problems with major inquiries.

The particular problems of disruption and personal harassment of the Inspector, such as arose at the Archway inquiry, are being followed up in the light of H Committee's discussion. Advice on how to deal with disruption was prepared by an interdepartmental Working Party and made available to Inspectors and the Police last year. These Notes for Guidance were annexed to the Lord Chancellor's paper; they have been welcomed by Inspectors and the Police and should enable them to deal with most contingencies. Mr Jenkin proposes, however, to ask the Working Party to review this advice, and the legal background, in the light of the events that occurred at Archway and to consider whether there is now a need either for legislation or for the revision of the Notes for Guidance.

The wider questions of the cost and duration of major inquiries (eg Sizewell and Stansted) raise different issues, and the Secretary of State shares the Prime Minister's concern. It is a limited problem, in that of the thousands of public inquiries held each year, less than twenty take more than a month to complete and the great majority are completed within a day or two; but some can run for a year or more.

This Department has been doing some work on this subject over the past year or so, and has prepared draft papers on which officials are consulting other Departments. The first of these proposes a new code of practice for the "pre-inquiry" stages of major inquiries which should go a long way to ensuring that the inquiry itself is well structured, addresses the main issues and discourages irrelevant repetitive evidence. If these arrangements are adopted it should also help to shorten the proceedings and avoid unnecessary cost, while serving the interests of all the parties involved in the inquiry. It could also assist in discouraging disruption since the great majority of those taking part in the inquiry, and who wished it to proceed in an orderly manner, could see that the inquiry was organised in a way that enabled them to put their case effectively. These proposals draw on the best of existing practice and the advice of some of those who have experience of conducting major inquiries.



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The second paper that the Department has prepared concerns the possibility, which is sometimes canvassed, of a "two stage" inquiry process for dealing with major proposals. The first stage would address matters of general application (eg. the need for a new international airport) and the second stage would relate to a specific site or sites. It is not clear that such a procedure would in fact shorten the time taken by the inquiry overall, or that matters considered at the first stage could be wholly excluded at the second stage. But the possibility of restructuring major inquiries in this or alternative ways is worth reviewing and an interdepartmental meeting to consider this has been arranged for early next month. The Secretary of State has asked that the specific points made by the Prime Minister should be considered at the same time.

The Secretary of State will be reporting back to colleagues on these matters.

I am sending copies of this letter to Janet Lewis-Jones (Lord President's Office), to the Private Secretaries to the members of H Committee and to Richard Hatfield (Cabinet Office).

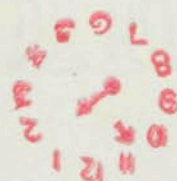
*Yours ever,*

*Andrew*

ANDREW ALLBERRY  
Private Secretary

Transport: Archway

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10 DOWNING STREET

*From the Private Secretary*

2 April 1984

MAJOR INQUIRIES

Thank you for your letter of 27 March in reply to mine of 15 March.

I have shown your letter to the Prime Minister, who was grateful for the consideration so far given to her comments. She has noted that an interdepartmental group will be reviewing the scope for restructuring major inquiries, and she looks forward to hearing the outcome of their deliberations.

I am sending copies of this letter to Janet Lewis-Jones (Lord President's Office), to the Private Secretaries to the members of H Committee and to Richard Hatfield (Cabinet Office).

David Barclay

Andrew Allberry, Esq.,  
Department of the Environment.

*sv*