



From the Minister

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PRIME MINISTER

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
WHITEHALL PLACE, LONDON SW1A 2HH

- ① cc Policy Unit  
② Biff for meeting on 23 Jan, with  
③ Cabinet Office brief requested  
by 18 Jan - for w/c box. 9/1

#### AGRICULTURE AND CONSERVATION

1. I have seen Patrick Jenkin's minute to you of 30 November, commenting on the options paper prepared by officials. I have also seen Peter Rees' minute of 21 December. It may be helpful if I give my comments before your meeting on 23 January.
2. I very strongly endorse the broad conclusions which Patrick has drawn from the paper. We must retain uppermost in our minds the very real advantages which are offered by the voluntary approach in achieving positive land management in the interests of conservation. I do believe that it is an approach which offers excellent value for money. As a government, we are heavily committed to it. We must not start thinking of throwing it over, unless we are certain we have found something better. All the evidence is that the alternatives to the voluntary approach would be less effective or more costly, or perhaps both.
3. I believe therefore we would be right, as Patrick suggests, to reject the more radical options outlined in the paper by officials (such as the major extension of planning controls, or far-reaching changes in the compensation arrangements). So far we have only limited experience of the 1981 Act. It is being criticised by some of the more vocal elements but the view of the more responsible - in particular the statutory agencies - is that we should give the Act time to work.
4. I must admit that I paused for a long time over the idea that there should be some limit on the number of SSSIs. Already 1.4 million hectares (some 6% of our total land area) are within SSSIs. The NCC has said publicly that it is aiming for 10% of the country to be so designated which means another million on the present 1.4 million hectares. I am convinced that in principle it is wrong that it should be able to take whatever decision it likes without any opportunity for appeal by the parties affected, or without any involvement of Ministers. However, I accept that to restrict it in any formal way would require primary legislation which I am sure we should not contemplate at this stage. So I am prepared not to ask for a formal change (though perhaps informally the NCC should be asked to be more self-restraining) until such time as primary legislation is being considered.

/5. On specific ....

5. On specific issues, I fully support Patrick on his proposal for early action on Halvergate. I would also be happy with Patrick's proposal for an examination by consultants of the effects of the financial guidelines provided we could agree on terms of reference which were consistent with the general aims and approach of our conservation policy. It would in my view be quite wrong to prejudge the outcome of the study in the way suggested by Peter Rees. I would also be content in principle for us to go out to consultation on the proposal for extensions to the existing Landscape Areas Special Development Orders. This approach might help us achieve a better balance between on the one hand the necessary control of intrusive development in the National Parks, and on the other the avoidance of expensive and bureaucratic controls on economically essential farm and forestry improvements. We could usefully present this as an appropriate response to the Countryside Commission's recommendation in their Uplands Report for extended controls on agricultural development in the Less Favoured Areas. I would not, however, be prepared to see these additional controls extended beyond the National Parks (which cover some 9% of England and Wales). Moreover, before deciding on whether to go out to consultation, we should be certain that this can be achieved without recourse to primary legislation.

6. I must however repeat the reservations which I expressed in my minute to you of 23 July about the proposal for a new system of landscape conservation orders, with permanent effect. My fear is that if we were to give this power to local authorities - even subject to a right of appeal to the Secretary of State - we could be faced with a major extension of the areas of the country subject to formal procedures for notification of routine farming operations. The expenditure implications of this could be very considerable as would be the scope for attracting controversy over individual sites. Moreover, it would represent a major departure in conservation policy and severely dent our commitment to the voluntary approach. Nevertheless, I recognise the need to provide some long-stop measures and believe that we should consider something on the lines of the time-limited Nature Conservation Order mechanisms (with limited backup compulsory purchase powers). They appear to be working well and I am sure parallel powers could be made available for landscape conservation in the National Parks and the Broads.

7. The assistance available to farmers under the capital grant schemes has received close attention in the paper by officials, and Patrick has suggested in his minute that we should consider further tightening of the schemes. As you are aware, we have recently cut back this assistance very severely; the reductions over the last two years amount to £70 million, which represents a third of the total. There have been reductions of a similar order in the assistance for arterial drainage schemes.

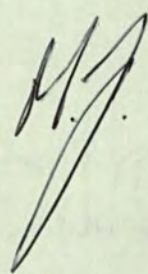
8. Those items which can cause concern to conservationists have been either reduced considerably or eliminated entirely, while the assistance to environmentally-friendly work has been maintained and even slightly increased. These changes have been warmly welcomed by the conservation lobby. We will be introducing completely new grant schemes during the course of this year, and before doing so will be consulting with the statutory conservation bodies. Our aim will be to ensure that in the administration of our schemes we are better able to take due account of conservation interests while at the same time maintaining an effective system of aids for improving farm efficiency and viability. We have already moved a long way in this direction, and our proposals in the context of the draft EC Structures Regulation for a new 'conservation' title will be of further assistance and even if we do not get what we want in Brussels, we shall want to do something similar nationally. All this was agreed in the recent PES round. The reductions now made in the capital

/grant schemes ....

grant schemes are as far as we can go while still meeting the bare essential requirements of the new Regulation, and there is therefore no prospect of further major reductions simply to satisfy the conservation lobby. While I am prepared to look further at the idea contained in para 24(iii) of the paper (the assessment of compensation following a Ministerial decision to withhold grant) in the context of the forthcoming review of the capital grant schemes, I cannot agree with Peter Rees that this is a straightforward issue on which decisions can be made immediately. There are in fact a number of objections to withholding compensation for grant forgone in these circumstances, and these need to be given careful consideration.

9. Returning to the central issue, it is essential that we affirm our conviction that the most effective way of achieving the right balance between agriculture and conservation is through the voluntary principle. We should as a government also seize every suitable opportunity to explain the many advantages of the voluntary approach. If we do find it necessary to provide new forms of statutory control, we must only do so if we can be convinced that this does not undermine the voluntary policy or create unnecessary expense and bureaucracy.

10. I am copying this minute to members of H, to Geoffrey Howe and Sir Robert Armstrong.



MICHAEL JOPLING  
9 January 1985

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