



PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

3 April 1984

Dear Patrick

MISC 95: EDUCATION IN LONDON

As you know from my earlier letter to you of 29 March, I am extremely concerned that there should be no change to the Cabinet's decision that any legislation to create a directly elected ILEA should not be contained in the Paving Bill. I see, however, that at its meeting on 29 March, although I was unable to attend, MISC 95 concluded that "the Paving Bill should be amended following its introduction to provide for a directly elected education authority in inner London from May 1985". I imagine that you will be conveying this recommendation to the Prime Minister and the Cabinet.

I am writing to you now because time is short and we shall have to resolve this issue on Thursday. I do not want you or any of my colleagues to be in any doubt of my views. As far as I am concerned, the decision taken in the Cabinet on March 15 was that there should be no further question of including legislation on direct elections to ILEA in the Paving Bill. The question of principle was referred back to MISC 95, but the decision on timing was final. I do not wish to rehearse again all the arguments which we discussed in Cabinet. However, I must point out that, as far as I am aware, there have been no changes since March 15 which could in any way justify a different conclusion.

I do feel very strongly about this issue and, as you know, the Lord President shares my view. I am afraid, therefore, that I will have to raise the issue at Cabinet, not because MISC 95 has adopted a different view from mine, but because the consequences of what the Group now proposes do, I consider, constitute a significant threat to the successful completion of our legislative programme for this Session. That is an issue which concerns all our colleagues. It is the risk that MISC 95 has accepted in return for what I consider to be marginal gains. It is a risk Cabinet has already refused to take and I do not think that we should consider it further.

I am sending copies of this letter to the Prime Minister, members of the Cabinet, other members of MISC 95 and Sir Robert Armstrong.

John Biffen

The Rt Hon Patrick Jenkin MP
Secretary of State for Environment

JOHN BIFFEN

Education PT 3

ILCA

13 APR 1973



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file attached

I have seen the Lord Privy Seal's letter of 3 April to you.

I am glad that he intends to raise at Cabinet the MISC 95 conclusion to provide for direct elections to ILEA. I strongly share his view that this would run contrary to what was agreed in the Cabinet on 15 March. I cannot see that anything has changed since then. I am increasingly concerned with the problems of successfully completing our legislative programme for this Session and I feel that the Cabinet should be fully aware of the threat which this proposal would pose.

I am sending copies of this letter to the Prime Minister, members of the Cabinet, Lord Gowrie and to Sir Robert Armstrong.

*Yours
faithfully*

The Rt Hon Patrick Jenkin MP

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MR TURNBULL

GLC/MCC ABOLITION: ILEA

Patrick Jenkin and MISC 95 have moved some way towards the Prime Minister's position. They recommend direct elections with provision for possible future break-up by review and affirmative resolution. This is the best solution that can now be obtained.

Three points need to be settled:

1. Should the interim body in the Paving Bill be directly elected?

Yes. The business managers argue that inserting direct elections will delay the Bill's passage and be inconsistent with its 'paving' nature. But these arguments are weak in comparison with the case for insertion:

- i. if the Government does not insert direct elections, the Lords may well do so; this would make us look very silly;
- ii. even the promise of direct elections to come might not assuage the fervour of Lord Beloff and others;
- iii. we understand from Parliamentary Counsel that the insertion could be achieved by a one-clause amendment;
- iv. making the interim board directly elected would still be a paving measure, without formal prejudice to the abolition legislation.

The members of MISC 95 rightly conclude that we should amend the Bill.

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2. Should elections to ILEA after May 1985 be held at the same time as borough elections, or at a different time?

Different time. Holding elections at a separate time is the only way of focussing attention on education and making ILEA less 'political': this is meant to be the main point of having direct elections.

3. Should the ILEA rate bill be separately shown and supported by a financial statement?

Yes. The bill should also be on a separate piece of paper: this will give it more psychological impact. (And the separate elections for ILEA should, if possible, be held within a few weeks of the billing date).

Oliver Letwin.

OLIVER LETWIN

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