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SECREL PART 2

Considertial Filing

Politing of Demonstrations at Military Bases Activities by Anti-Nuclear Demonstrators

DEFENCE

Part Dne: February 1983 Part Two: April 1986

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PRIME MINISTER

SECURITY AT THE CLYDE SUBMARINE BASE

- 1. In my minute of 15th December I reported on the remedial action which had been set in hand to tighten security at the Clyde Submarine Base following the incursion by anti-nuclear demonstrators on 10th October. You asked for a further report on progress in two to three months' time. I have been reviewing the progress of this work, and have paid a further visit to both Faslane and Coulport, and am now in a position to let you know where we now stand.
- 2. The disciplinary and administrative action in respect of certain Ministry of Defence Police (MDP) and naval personnel has now been implemented in full.
- 3. At the end of last year the MDP presence at Faslane and Coulport was stepped up by the addition of 40 officers. The personnel concerned are on detached duty and are working 12-hour shifts, so it is possible to have 20 additional police on the ground at all times. In addition, a review of the MDP complement for the Base is now under way.
- 4. Government security specialists have visited Coulport and Faslane in order to subject the perimeter defences at these places (weldmesh fencing and associated intruder detection systems) to technical scrutiny. Their conclusion is that the detection systems are capable of revealing any penetration through the perimeter fences, provided they are installed, maintained and operated properly. We have therefore been putting considerable emphasis on maintenance



(including regular testing of selected sections) and operator training. We have also contracted for the design and manufacture of a new control panel at Faslane which, when it is installed this summer, will enable the supervisor in the Police Control Room to see at a glance that all sectors of the fence are activated and, if an alarm is initiated, which sector is under attack. And the time during which MDP officers are kept on continuous watch in front of the Control Room displays has been reduced in the interests of maintaining operator alertness.

- 5. As I have mentioned to you recently in another context, the rules of engagement governing the armed guards on the Polaris jetties have been amended, with the agreement of the Law Officers, to make clear that they may, as a last resort, open fire to prevent a perceived threat of sabotage not only to nuclear warheads but also to the submarine.
- 6. In my minute of 15th December I also mentioned other work currently in hand, not as a direct consequence of the October incursion but rather in an attempt to find solutions to longer-standing problems relating to security at the Clyde Submarine Base.
- 7. The small civilian boatyard (known as Timbacraft), which is only a stone's throw from the Polaris berths, has for some time been recognised as a potential security hazard because of its position. In December I asked my officials to contact the owners of Timbacraft informally with a view to establishing the terms under which they would be prepared to sell or move their premises. While they are not prepared to cease trading, they have expressed a willingness to move to an alternative site, which the Ministry of Defence could make available, provided that appropriate terms can be agreed.



- 8. Shortly before my last report to you, I approved in principle the move of Comacchio Group Royal Marines from its present base in Arbroath, where it shares accommodation with 45 Commando, to a new location in the Coulport area, where it would be better placed to reinforce the Royal Marines guardforce protecting the nuclear storage area in the event of an attack. My officials are currently refining site options for the new Comacchio Group base, taking into account not only costs and operational suitability but also local political sensitivities, which could be disturbed by any further acquisition of defence land in the area and/or application for change of use for military purposes. Given the length of the local authority planning process and the subsequent building time required to create a new RM base, we shall have to move quickly if we are to ensure that Comacchio Group is able to transfer to the Clyde within the next 2 or 3 years. I intend to monitor progress on this issue closely.
- 9. We have also considered further how to protect alongside deterrent submarines from attack from the seaward side. The threat here comes from 3 possible sources - surface craft on the Gareloch carrying demonstrators or terrorists; terrorists firing hand-held, long-range weapons or mortars from the hillsides (on both sides of the loch); and underwater intruders, who could be terrorists or demonstrators, making undetected approaches to submarines. The peacetime threat from terrorists is currently assessed as low, though the recent Battersea arms find suggests that the PIRA are now considering the use of stand-off weapons outside Northern Ireland. There are a number of difficulties, of both a technical and legal nature, about putting in place defensive systems which would give a high level of assurance against all possible comers. However, we must not allow the best to become the enemy of the good and I have therefore given instructions that urgent consideration is to be given to the provision of short-term defences against seaward attack, even if these do not succeed in completely closing off this particular



loophole. I have asked for recommendations by the end of August and I will keep you informed of progress. I should stress that there is no reason for immediate concern on this front: there is no intelligence to indicate that Irish or other foreign terrorist groups have plans to attack the Clyde Submarine Base. The action I have instigated simply recognises the potential for mischief from this direction and aims to improve our defensive posture in the event that the threat should change.

10. Finally, I attach an updated version of the action plan forwarded with my note of 15 December. As you will see, action is proceeding on remedying the various weaknesses identified by the Board of Inquiry. During my recent visit to the Clyde I gained the strong impression that our defensive posture is more robust and alert than it was 6 months ago and I intend to keep the situation under careful review.

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Ministry of Defence

March 1989

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ANNEX A TO CINCNAVHOME'S X1950/257 DATED 13 NOV 88

BOARD OF INQUIRY REPORT RECOMMENDATIONS

BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88	Position at 13 Mar 89
ORGANISATION	/MANAGEMENT					
153	The issue of regulations governing the Security of Nuclear Weapons, CB 4002, should be hastened (para 67)	DNSy awaiting the National Directive from DNucPol/Sy to be signed and agreed	DNucPol/Sy and DNSY		Third draft of CB4002 complete. Target date for publication May 89	Target date stands
154	COMCLYDE should review the Base Defence Organisation in the light of this report (paras 126-136)	In hand	COMCLYDE	Nov 88	New target date Jan 89	New target date 31 Mar 89
155		Agreed; CNH currently pursuing this item	DNSY CNH	Jan 89	In hand. Target date stands	Arrangements for Faslane Green Area complete, arrangements for Coulport Special Area still to be finalised
156	CLYSO's Vol 6 should be updated to reflect the changes in organisation following the appointment of the Captain HMS NEPTUNE (para 95)	In hand	COMCLYDE	Nov 88	Complete	
157	The Captain HMS NEPTUNE should use the Base Defence Policy Committee to decide on matters of security policy and direction, and implementation. The BDPC should meet monthly (paras 96, 127 and 13		NEPTUNE	Nov 88	Complete. Recommendation reworded to read: " to decide on security policy implement- ation". (Security policy and direction are the responsibility of DNSY and CINCNAVHOME respectively)	
158	One officer at middle management level should be made responsible for the day to day maintenance of security standards throughout the Base including Jetty areas (paras 129, 130, 131, 132 and 150)		NEPTUNE	Nov 88	Complete	
159	The TOR's for BDC, BMA, BSyO and First Lieutenant, should be re-written to establish clear lines of responsibility for their security tasks (paras 130 and 151)	In hand	NEPTUNE	Dec 88	In hand. Target date stands.	In hand. New target date end Mar 89

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BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88	Position at 13 Mar 89
160	Available intelligence on potential threats to the base should be better utilised and disseminated to all those who need to know (paras 133 and 137)	Action in hand; BMA attends Commodore's daily brief; Senior Police Officer also to attend	NEPTUNE	Nov 88	Complete	
161	The acquisition of TIMBA-CRAFT and adjacent fore-shore by the Ministry of Defence should be pursued more vigorously (paras 71, 110 and 123)		DNSY MOD PL Lands		In hand. Being pursued by MOD PL(Lands)	In hand. Progress being made
162	Arrangements should be made to move RMAS Craft from the Green Area jetty to physically separate their area from the SSBNs (paras 89 and 121)	Proposals to CNH	- COMCLYDE	Jan 89	Target date incorrect, not achievable until .) completion of Trident Northern Development Area (NDA)	Matter now being pursued at FOSNI's direction. No target date
163	Whenever there is degradation of the perimeter defences and the associated PIDS, extra patrols should be provided and the facts drawn to the attention of all duty security personnel (para 78, 99, 116, 118 and 142)	Action Complete				
164	Greater priority to be given to undertaking security works in the Base Minor Works programme (para 136)	Action Complete;				
165	COMCLYDE should produce Joint Operating Instructions for MDP/RM personnel on duty within the Green Area, and on waterborne patrol (paras 97 and 98)	In hand	COMCLYDE	Dec 88	Target date stands. New joint operating instructions are awaiting ratification by CINCNAVHOME	Not yet complete. New target date end Mar 89
166	Patrol routines for the CMU and the RMLC detachment should be re-arranged to provide better coverage of the water between TIMBACRAFT and AFD60 (paras 71 and 72)	Action Complete				
167 "	Captain SM10 should ensure that the agreement to permit RMs to patrol the casings of SM10 submarines is incorpor- ated in RSSOs (para 107)	Action complete	Captain SM10	Nov 88		

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BOI Report Paragraph No	Recommendation	Status	Action	Target Date
MATERIAL				
168	The perimeter defences should be completed as a matter of urgency (para 77)	Landward side: in hand (seaward defences: Action lie with MOD)	NEPTUNE s	Jan 89
169	Surveillance outside the fence should be improved to give early warning of incidents as follows:			
	a. Mobile patrols should include an observer in addition to the driver in hours of darkness (para 114c)	MDP have asked for additional manpower	CCMDP	
	b. Patrol vehicles should be fitted with trainable spotlights (para 114c)		CCMDP	
	c. Perimeter CCTV surveillance cameras should be repositioned by use of an extension arm from towers, such that both sides of the fence can be viewed concurrently when the camera is in its parked position (para 79)	Proposals to CNH	COMCLYDE	Jan 89
	d. Consideration should be given to re-instituting continuous patrols out- side the perimeter (paras 111, 115 and 117)	Proposals to CNH	COMCLYDE/ FOSNI	Dec 88
	Fence around the Red Area should be regularly examined for vulnerable points (paras 81, 119 and 120)	Action Complete		
. I	A clear well lit space of at least 10M should exist on either side of the Red Area fence. Additional safe-guards should be implemented during the construction period, if this cannot be achieved (paras 81, 119 and 120)	In hand, with additional study into increasing security of fence	PSA NBDD	Jan 89/ Mar 89

Pos	ition	at
16	Dec	88

Position at 13 Mar 89

Landward side subject to contract (already let).

New target date May 89. Seaward side with MOD

Landward side target date stands. Seaward side being pursued within MOD in both the long and short term

Complete

In process of being implemented

Complete

Recommendation not accepted. Further study being undertaken

Limitations of present system accepted. Original recommendation now not considered feasible in engineering terms

Complete

Implementation not completely achievable due to building construction. Safeguards implemented

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					DEA	Position at		
(BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88		Position at 13 Mar 89
	172	BTC to be fitted to top of fence and gate at northern access to the Green Area including the jetty edge, until such time as improvements under the Part 1 works projects are complete	Action Complete					
	173	Perimeter fencing should carry signs warning that Armed Patrols are on duty at all times (paras 81, 82 and 115)	In hand FOSNI investigating legal position	COMCLYDE/ FOSNI		Perimeter fencing signs still under investigation of signs in Green Area, visible to seaward, being progressed	on.	Landward side signs in place, seaward side still in hand
	174	Defective flood lighting at northern access gate and southern OP should be repaired (paras 73 and 80)	Action Complete				,	
	175	No items should be placed on the jetty adjacent to or within 10 metres of either side of the Northern Access to the Green Area (para 85 and 88)	Action Complete					
	176	Both OPs should be brought up to a serviceable standard as a matter of urgency, by: a. Replacement of windows to provide a clear view (paras 73, 84) b. Permanent display of relevant sentry orders (para 105)	Action Complete					
	177	High intensity floodlighting to be installed to light the TIMBACRAFT foreshore and external perimeter of AFD 60 (paras 71, 72, 110, 123 and 125)	Costs in excess of £150K require	MOD COMCLYDE	-,	Being pursued, partly dependent on outcome of Timbacraft negotiations		Floodlighting of the landward side of the Admiralty Floating Dock being progressed as an interim measure.
	178	A study to be conducted into improving the CCTV surveil-lance of the area between TIMBACRAFT and the Green Area (paras 123, 124 and 125)	In hand	COMCLYDE	Jan 89	Recommendation not accepted as an effective measure. Completion of recommendation 177 will negate requirement		
	179	Wire mesh gates should be provided at 1 and 2 berths to allow Quartermasters control over access to submarines alongside (para 122)	Action Complete		- SFC	DET		

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Position at 13 Mar 89

Complete

BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88
180	A minimum area around submarine gangways which is to be kept clear of all obstacles is to be defined (para 88)	Action Complete			
MINISTRY OF	DEFENCE POLICE				
181	The MDP should conduct an independent inquiry into the allegation that the acoustic alarm system was inhibited by persons unknown within the Police Control Room (para 75)	In hand	CCMDP		Complete. Report rendered
182	Immediate action should be taken to provide comprehensive training for all Duty Station Officers in all respects of the Operation, Capabilities and Limitations of the CCTV cameras and PIDS. All MDP officers appointed to CSB should undergo this training before they are permitted to perform the duty of Duty Station Officer (paras 138 and 140)	In hand	COMCLYDE	Dec 88	Almost complete, new target date Jan 89. Not all MDP officers appointed to CSB will undergo training, only a selected team.
183	The Senior Police Officer is to appoint an Inspector to assume responsibility for supervision of the PIDS. He should be made responsible for ensuring that the computer record printout is maintained as an Alarm System Log. He should also ensure the provision of adequate operating manuals (paras 76, 113, 138, 139 and 140)	In hand; Course scheduled	COMCLYDE	Jan 89	Complete
184	The Duty Station Officer should carry out a formal handover to his relief. This should cover the current status of the perimeter defences and any remedial actions required to preserve physical security (para 141)	Action Complete			

Position at 13 Mar 89

BOI Report Paragraph No	Recommendation	Status	Action	<u>Date</u>
185	No reduction in MDP officers should be permitted in the Green Area at any time. This should be reflected in Station Standing Orders (para 87)	Action Complete .		
186	Meal breaks for patrolling constables should be staggered to ensure that the minimum number of officers are "off watch" at any one time. MDP regulations should be amended accordingly (paras 143 and 144)	Local routines have been amended, but CCMDP action is needed to amend MDP regulations	CCMDP	
187	The routines for the operation of the Base Defence Control Room should be improved (para 134)	In hand	NEPTUNE	Nov 88

Complete. Station orders amended. Force Standing Orders already require the senior police officer and his representatives to ensure requirements of Head of Establishment are

Delayed, present site not big enough for the improvements required. No new target date

Further study being undertaken. Outcome dependent on construction of new Combined Operations Headquarters

ROYAL MARINES

190 ...

Before deployment at CSB all Action Complete 188 RMs should receive a brief from a Comacchio Group Officer which should include the following:

- a. Intelligence Update.
- b. Security/Defence task.
- c. ROE.
- d. Current State of defences.
- e. Commacchio Group Orders for the RM Detachment at Faslane (paras 106, 145, 146, 147, 148 and 149)
- Comacchio Group Standing 189 Orders for the RM detachment at Faslane should be updated (para 101)

Lines of responsibility between the RM detachment and the Base security organisation should be clearly stated in CLYSO's Vol 6 (para 102)

In hand

In hand

CO,

Dec 88

Comacchio Gp

COMCLYDE Nov. 88 Complete

Complete

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BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88	Position at 13 Mar 89
191	CO Comacchio Group should ensure that the agreement to permit RMs to patrol the casing of SM10 Submarines and the amended jetty sentry orders are incorporated in Comacchio Group's Standing Orders (para 101)	In hand	CO, Comacchio G	Nov 88	Complete	
192	Applicability of current in use JSPs 387/388 should be examined critically in order to simplify the ROE (paras 90 and 148)	In hand	DNSY		Awaits Ministerial consideration.	Action pending.
193	Base Military Adviser should be given line responsibility for the RM detachments at Faslane and Coulport, and should therefore be a Comacchio Group Officer (paras 102, 104, 106 and 128)	Validation required	CGRM FOSNI		Not yet resolved, in part dependent on move of Comacchio Group	The matter of line responsibility for the RM detachments now resolved as OC P Coy Comacchio Gp is based at Faslane. Base Military Advisor still a separate appointment with responsibilities to Captain HMS NEPTUNE
194	Consideration should be given to combining posts of BMA and OC 'P' Company Comacchio Group (para 102 and 106)	Validation required	CGRM FOSNI		Not yet resolved	See 193 above

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10 DOWNING STREET LONDON SW1A 2AA

From the Private Secretary

17 December 1988

Der Min.

CLYDE SUBMARINE BASE: INCURSION 9/10 OCTOBER 1988

The Prime Minister has considered the Defence Secretary's minute of 15 December on the outcome of the Board of Inquiry into the incursion into the Clyde Submarine Base last October. She has noted the remedial action which is being taken. She would like to see the report on implementation which the Defence Secretary himself is to receive in two to three months' time.

C. D. POWELL

Brian Hawtin, Esq. Ministry of Defence

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PRIME MINISTER

CLYDE SUBMARINE BASE: INCURSION 9TH/10TH OCTOBER 1988

My Private Secretary's letter of 21st October indicated that I proposed to make a full report to you of the events surrounding the entry effected by a number of anti-nuclear demonstrators into the Clyde Submarine Base on 9th/10th October, once I had received and considered the report of the Board of Inquiry.

- 2. I have now received the Board's report, together with the results of the investigation set in hand by the Chief Constable of the Ministry of Defence Police concerning disciplinary proceedings relating to MOD police officers. I have also visited the Clyde Submarine Base to examine both the circumstances of the incursion, and the requirement and scope for remedial action and, in view of the subsequent incursions on 20th October and 1st and 13th December, the Royal Naval Armament Depot at Coulport.
- 3. The Board of Inquiry has established the facts of the incursion and made 42 recommendations for remedial action. Having considered the report the Commander-in-Chief Naval Home Command has concluded that 10 uniformed personnel, mainly officers, have shown varying degrees of negligence in the performance of their duties and should be dealt with by administrative action or summary jurisdiction. Comparable action has also been recommended in respect of three senior MOD police officers.

The Facts

4. The Board of Inquiry has largely corroborated the facts set out in its interim report, enclosed with my Private Secretary's letter of



21st October. There is no need, therefore, to repeat them here. Suffice it to say that the intruders were able to penetrate the defences of the Base as far as they did as the result of a succession of security lapses - including non-operation of the outer fence alarm system, non-replacement of the barbed coils against the inside of the fence following maintenance work, the availability of contractors' ladders within the site, inadequate sentry patrols and the leaving open, contrary to Standing Orders, of the forward hatch of HMS REPULSE. The Clyde Submarine Base, as I discovered for myself this week, is a major construction site - the largest such site in Europe after the Channel Tunnel - as preparations are made for the introduction of Trident. The large numbers of contractors' personnel in the base area, and the disruption caused by the construction work, go some way to explain - although in no sense excuse - how the lapses in security occurred.

Responsibility

5. The Commander-in-Chief Naval Home Command, who has responsibility for the security of Naval Bases in the UK, has identified 10 individuals (6 Officers, including Commodore Clyde, and 4 ratings/RM other ranks) whom he considers to have shown varying degrees of negligence in the performance of their duties on the night in question. He is proceeding against those under his own authority (the Naval Base staff) by means of administrative action: the Commander-in-Chief Fleet, who is responsible for HMS REPULSE, and the Commandant-General Royal Marines, who is responsible for the RM guardforce at the Base, is proceeding similarly against those under their respective commands against whom negligence has been indicated. The Chief Constable is taking comparable disciplinary action against a Chief Superintendent, a Superintendent and a Chief Inspector identified as negligent.



In endorsing the disciplinary recommendations of the Board, account has been taken of legal advice that administrative action will lead to penalties no less severe than those likely to result from Court Martial. Such action is neither undertaken lightly nor lightly regarded by those affected. It is also important to bear in mind the fact that Courts Martial are public events and, while a certain amount of evidence in a case such as this would have to be taken in camera, the fact of the trials, their outcome and some of their content would have to be disclosed. Police disciplinary hearings are held in private, but there is no means of preventing the accused or his lawyer discussing the matter publicly. This would draw attention to an event which has attracted surprisingly little interest in the press. Such exposure would not only provide opportunities for the anti-nuclear movement, but could also be damaging to security by, for example, alerting terrorists groups to potential weaknesses in the Base's security.

Remedial Action

- 7. The Board of Inquiry's Final Report contained 42 recommendations for remedial action. These are summarised in the list at Annex A to this letter, with an indication of the action taken to date, from which you will see that the required action is already complete in respect of 25 of the recommendations, whilst others are in the process of implementation.
- 8. The recommendations deal with the organisation and management of security with the naval base, and the standard of physical security and patrolling procedures. I have been especially concerned to ensure that those measures which contributed directly to the incursion are rectified as quickly as possible. The perimeter fence is now complete and fully protected by alarms, with the exception of the northern area of the base (the area under development) which is



expected to be completed by next May. Supervision in the joint MOD Police/Royal Marines control room has been improved, and I have asked for a further urgent review of the control system to ensure that any faults in the intruder alarm are clearly and immediately evident to the operators. Provision has been made for increases in mobile patrols in the event of a failure of any part of the intruder detection system. Contractors' materials have been cleared away wherever possible to prevent their use by intruders, and potential access points are being regularly inspected. Action has also been taken to reinforce existing procedures for the protection of the Polaris berths and the SSBNs themselves. In the longer term I shall be considering possible enhancements to the seaward defences of the Base, the provision of a permanent base for the Royal Marines quard force and the possible acquisition of a small civilian shipyard immediately adjacent to the south gate and to the Polaris berths and the floating deck - although the two latter points are not of direct relevance to the October incident.

- 9. So far as Coulport is concerned, the Flag Officer Scotland and Northern Ireland is still conducting an inquiry into the most serious incident, on 1st December. In the meantime, the number and frequency of MOD Police patrols has been increased and studies have been set in hand to identify possible interim measures to improve security pending the completion of Trident associated works. These studies should be completed before Christmas.
- 10. I shall review progress on the implementation of these recommendations in two to three months' time, both with officials here in London and through a further personal visit to the Clyde. I shall continue this process until I am satisfied that all reasonable recommendations for remedial action have been implemented.

Ministry of Defence

15th December 1988

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BOARD OF INQ	UIRY REPORT RECOMMENDATIONS				
BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88
ORGANISATION	/MANAGEMENT				
153	The issue of regulations governing the Security of Nuclear Weapons, CB 4002, should be hastened (para 67)	DNSy awaiting the National Directive from DNucPol/Sy to be signed and agreed	DNucPol/Sy and DNSY		Third draft of CB4002 complete. Target date for publication May 89
154	COMCLYDE should review the Base Defence Organisation in the light of this report (paras 126-136)	In hand	COMCLYDE	Nov 88	New target date Jan 89
155	Security alert exercise run by FOSNI Area Security Staff should include arrangements that allow play in the Green Area (paras 68-69)	Agreed; CNH currently pursuing this item	DNSY CNH	Jan 89	In hand. Target date stands
156	CLYSO's Vol 6 should be updated to reflect the changes in organisation following the appointment of the Captain HMS NEPTUNE (para 95)	In hand	COMCLYDE	Nov 88	Complete
157	The Captain HMS NEPTUNE should use the Base Defence Policy Committee to decide on matters of security policy and direction, and implementation. The BDPC should meet monthly (paras 96, 127 and 13		NEPTUNE	Nov 88	Complete. Recommendation reworded to read: " to decide on security policy implementation". (Security policy and direction are the responsibility of DNSY and CINCNAVHOME respectively)
158	One officer at middle management level should be made responsible for the day to day maintenance of securit standards throughout the Base including Jetty areas (paras 129, 130, 131, 132 and 150)	In hand	NEPTUNE	Nov 88	Complete
159	The TOR's for BDC, BMA, BSyO and First Lieutenant, should be re-written to establish clear lines of responsibility for their security tasks (paras 130 and 151)	In hand	NEPTUNE	Dec 88	In hand. Target date stands.

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/-l	BOI Report Paragraph No	Recommendation	Status	Action	Target Date
	160	Available intelligence on potential threats to the base should be better utilised and disseminated to all those who need to know (paras 133 and 137)	Action in hand; BMA attends Commodore's daily brief; Senior Police Officer also to attend	- NEPTUNE	Nov 88
	161	The acquisition of TIMBA- CRAFT and adjacent fore- shore by the Ministry of Defence should be pursued more vigorously (paras 71, 110 and 123)		DNSY MOD PL Lands	
	162	Arrangements should be made to move RMAS Craft from the Green Area jetty to physically separate their area from the SSBNs (paras 89 and 121)	Proposals to CNH	COMCLYDE	Jan 89
	163	Whenever there is degradation of the perimeter defences and the associated PIDS, extra patrols should be provided and the facts drawn to the attention of all duty security personnel (para 78, 99, 116, 118 and 142)	Action Complete		
	164	Greater priority to be given to undertaking security works in the Base Minor Works programme (para 136)	Action Complete;		
	165	COMCLYDE should produce Joint Operating Instructions for MDP/RM personnel on duty within the Green Area, and on waterborne patrol (paras 97 and 98)	In hand	COMCLYDE	Dec 88
	166	Patrol routines for the CMU and the RMLC detachment should be re-arranged to provide better coverage of the water between TIMBACRAFT and AFD60 (paras 71 and 72)	Action Complete	-	
	167	Captain SM10 should ensure that the agreement to permit RMs to patrol the casings of SM10 submarines is incorpor- ated in RSSOs (para 107)	Action complete	Captain SM10	Nov 88

Position at 16 Dec 88

Complete

In hand. Being pursued by MOD PL(Lands)

Target date incorrect, not achievable until completion of Trident Northern Development Area (NDA)

Target date stands. New joint operating instructions are awaiting ratification by CINCNAVHOME

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BOI Report Paragraph No	Recommendation	Status	Action	<u>Target</u> <u>Date</u>
MATERIAL				
168	The perimeter defences should be completed as a matter of urgency (para 77)	Landward side: in hand (seaward defences: Action lies with MOD)	NEPTUNE	Jan 89
169	Surveillance outside the fence should be improved to give early warning of incidents as follows:			
	a. Mobile patrols should include an observer in addition to the driver in hours of darkness (para 114c)	MDP have asked for additional manpower	CCMDP	
	b. Patrol vehicles should be fitted with trainable spotlights (para 114c)		CCMDP	
	c. Perimeter CCTV surveillance cameras should be repositioned by use of an extension arm from towers, such that both sides of the fence can be viewed concurrently when the camera is in its parked position (para 79)	Proposals to CNH	COMCLYDE	Jan 89
	d. Consideration should be given to re-instituting continuous patrols out- side the perimeter (paras 111, 115 and 117)	Proposals to CNH	COMCLYDE/ FOSNI	Dec 88
	Fence around the Red Area should be regularly examined for vulnerable points (paras 81, 119 and 120)	Action Complete		- 6
	A clear well lit space of at least 10M should exist on either side of the Red Area fence. Additional safe-guards should be implemented during the construction period, if this cannot be achieved (paras 81, 119 and 120)	In hand, with additional study into increasing security of fence	PSA NBDD	Jan 89/ Mar 89

Position at 16 Dec 88

Landward side subject to contract (already let). New target date May 89. Seaward side with MOD

Complete

In process of being implemented

Recommendation not accepted. Further study being undertaken

Complete

Implementation not completely achievable due to building construction. Safeguards implemented

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	BOI Report Paragraph No	Recommendation	Status	Action	Target Date
	172 .	BTC to be fitted to top of fence and gate at northern access to the Green Area including the jetty edge, until such time as improvements under the Part 1 works projects are complete	Action Complete		-
	173	Perimeter fencing should carry signs warning that Armed Patrols are on duty at all times (paras 81, 82 and 115)	In hand FOSNI investigating legal position	COMCLYDE/ FOSNI	
	174	Defective flood lighting at northern access gate and southern OP should be repaired (paras 73 and 80)	Action Complete		
	175	No items should be placed on the jetty adjacent to or within 10 metres of either side of the Northern Access to the Green Area (para 85 and 88)	Action Complete		
	176	Both OPs should be brought up to a serviceable standard as a matter of urgency, by: a. Replacement of windows to provide a clear view (paras 73, 84) b. Permanent display of relevant sentry orders (para 105)	Action Complete		
	177	High intensity floodlighting to be installed to light the TIMBACRAFT foreshore and external perimeter of AFD 60 (paras 71, 72, 110, 123 and 125)	In hand Costs in excess of £150K require MOD approval	MOD COMCLYDE	10
	178	A study to be conducted into improving the CCTV surveil-lance of the area between TIMBACRAFT and the Green Area (paras 123, 124 and 125)	In hand	COMCLYDE	Jan 89
	179	Wire mesh gates should be provided at 1 and 2 berths to allow Quartermasters control over access to submarines alongside (para 122)	Action Complete		

Position at 16 Dec 88

Perimeter fencing signs still under investigation. Erection of signs in Green Area, visible to seaward, being progressed

Being pursued, partly dependent on outcome of Timbacraft negotiations

Recommendation not accepted as an effective measure. Completion of recommendation 177 will negate requirement

A-4 SECRET

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:	Baragraph No	Recommendation	Status	Action	<u>Target</u> <u>Date</u>	Position at 16 Dec 88
	180	A minimum area around submarine gangways which is to be kept clear of all obstacles is to be defined (para 88)	Action Complete			
	MINISTRY OF I	DEFENCE POLICE				
	181	The MDP should conduct an independent inquiry into the allegation that the acoustic alarm system was inhibited by persons unknown	In hand	CCMDP		Complete. Report rendered
		within the Police Control Room (para 75)				
	182	Immediate action should be taken to provide comprehensive training for all Duty Station Officers in all respects of the Operation, Capabilities and Limitations of the CCTV cameras and PIDS. All MDP officers appointed to CSB should undergo this training before they are	In hand	COMCLYDE	Dec 88	Almost complete, new target date Jan 89. Not all MDP officers appointed to CSB will undergo training, only a selected team
		permitted to perform the duty of Duty Station Officer (paras 138 and 140)				
	183	The Senior Police Officer is to appoint an Inspector to assume responsibility for supervision of the PIDS. He should be made responsible		COMCLYDE	Jan 89	Complete
		for ensuring that the computer record printout is maintained as an Alarm System Log. He should also ensure the provision of adequate operating manuals (paras 76, 113, 138, 139 and 140)				
		The Duty Station Officer should carry out a formal handover to his relief. This should cover the current status of the perimeter defences and any remedial actions required to preserve physical security (para 141)	Action Complete			

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 BOI Report Paragraph No	Recommendation	Status	Action	Target Date	Position at 16 Dec 88	
185	No reduction in MDP officers should be permitted in the Green Area at any time. This should be reflected in Station Standing Orders (para 87)	Action Complete				
186	Meal breaks for patrolling constables should be staggered to ensure that the minimum number of officers are "off watch" at any one time. MDP regulations should be amended accordingly (paras 143 and 144)	Local routines have been amended, but CCMDP action is needed to amend MDP regulations	CCMDP		Complete. Station orders amended. Force Standing Orders already require the senior police officer and his representatives to ensure requirements of Head of Establishment are met	,
187	The routines for the operation of the Base Defence Control Room should be improved (para 134)	In hand	NEPTUNE	Nov 88	Delayed, present site not big enough for the improvements required. No new target date	*-
ROYAL MARINE	<u>S</u>					
188	Before deployment at CSB all RMs should receive a brief from a Comacchio Group Officer which should include the following:	Action Complete				1 1
	a. Intelligence Update.b. Security/Defence task.					
	c. ROE.					
	d. Current State of defences.			•		
	e. Commacchio Group Orders for the RM Detach- ment at Faslane (paras 106, 145, 146, 147, 148 and 149)			61		
189	Comacchio Group Standing Orders for the RM detachment at Faslane should be updated (para 101)	In hand	CO, Comacchio G	Dec 88	Complete	
190	Lines of responsibility between the RM detachment and the Base security organisation should be clearly stated in CLYSO's Vol 6 (para 102)	In hand	COMCLYDE	Nov 88	Complete	
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BOI Report Paragraph No	Recommendation	Status	Action Target Date	Position at 16 Dec 88
191	CO Comacchio Group should ensure that the agreement to permit RMs to patrol the casing of SM10 Submarines and the amended jetty sentry orders are incorporated in Comacchio Group's Standing Orders (para 101)	In hand	CO, Nov 88 Comacchio Gp	Complete
192	Applicability of current in use JSPs 387/388 should be examined critically in order to simplify the ROE (paras 90 and 148)	In hand	DNSY -	Awaits Ministerial consideration
193	Base Military Adviser should be given line responsibility for the RM detachments at Faslane and Coulport, and should therefore be a Comacchio Group Officer (paras 102, 104, 106 and 128)	Validation required	CGRM - FOSNI	Not yet resolved, in part dependent on move of Comacchio Group
194	Consideration should be given to combining posts of BMA and OC 'P' Company Comacchio Group (para 102 and 106)	Validation required	CGRM - FOSNI	Not yet resolved

A-7 SECRET

SECRET WAS MINISTRY OF DEFENCE MAIN BUILDING WHITEHALL LONDON SW1A 2HB Telephone 01-218 2111/3 MO 23/10L 21st October 1988 CLYDE SUBMARINE BASE: INTRUSION 9/10 OCTOBER 1988 Further to my letter of 13 October, I am now able to provide a fuller account of the events surrounding the entry effected by a number of anti-nuclear demonstrators (ANDs) into the Clyde Submarine Base on 9/10 October. I attach a note providing a narrative of events and a list of remedial measures so far identified and implemented. As the note makes clear, we now have a reasonably accurate record of events. But there are some questions remaining - not least how the Perimeter Intruder Detection System came to be out of action - to which we need precise answers before decisions can be made on the question of culpability. These questions are being pursued actively by the Board of Inquiry, which hopes to present its final report on 5 November. This is longer than originally envisaged but the Board has found it necessary to pursue a number of lines of further inquiry, and to take further evidence in order to grant to grant to further inquiry, and to take further evidence, in order to complete the task of establishing the facts and to reach conclusions on where responsibility lies, and whether legal or administrative action against individuals is required. The Defence Secretary will make a full report to the Prime Minister when the final report has been received. Mr Younger considers that the narrative of events on 9/10 October reveals a sorry succession of security lapses. He will ensure that the necessary remedial action at the Clyde Submarine Base is taken; he will also be considering whether there are any lessons to be drawn from what happened at Faslane for the defence of our nuclear installations in general. (B R HAWTIN) Private Secretary Charles Powell Esq 10 Downing Street SECRET



DEPARTMENT/SERIES PREM 19 PIECE/ITEM	Date and sign
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SECRET CLYDE SUBMARINE BASE - INTRUSION ON 9/10 OCTOBER 1988 INTRODUCTION This report sets out the interim conclusions of the Board of Inquiry, which has been investigating the circumstances surrounding an intrusion by anti-nuclear demonstrators (AND) into the Clyde Submarine Base on the night of 9/10 October 1988. The narrative of events contained in paragraphs 5 to 13 takes care to avoid anticipating the Board of Inquiry's final conclusions concerning individual culpability, except where the failure of individuals to observe standing orders has been clearly established. The events of 9/10 October should be viewed in the context of the Clyde Submarine Base's concept of operations as set out in Standing Orders. The concept reads as follows: "The defence of the Base at Faslane is one of defence in depth, and frequent but irregular patrolling. This will include the surveillance and patrolling of the outer fence by static, walking and vehicle borne personnel. There will also be patrols and static guards operating within the Base itself. This policy allows for those with the detailed overall knowledge of the Base - the MDP and permanent Naval personnel - to operate in the areas they know best and personnel with little or no overall knowledge (newly arrived personnel) to man the observation posts." 4 Locations mentioned in the narrative below are shown in the map of Clyde Submarine Base at Annex A to this report. NARRATIVE OF EVENTS 5 The first indication that intruders had gained access to the Base was the raising of the alarm by the Royal Marine sentry on the Green Area jetty at 0206 on Monday 10 October 1988. So far as it has been possible to establish, the sequence of events prior to this was as follows. 6 At 0133, 4 ANDs breached the perimeter security fence in Zone 11 (where the barbed coils on the outside base of the fence had been removed to allow work to be carried out) by cutting a portion of the weldmesh fence horizontally along part of its 3 metre length. Three of the ANDs then obtained entry by forcing the top and bottom sections of the severed weldmesh fence apart and slipping through, leaving the 2 sections of the fence to spring back together, making the cut invisible to close scrutiny. Their actions were not detected by the Perimeter Intruder Detection System (PIDS) because the alarm system appears to have been inhibited in the Police Control Room sometime between late Sunday afternoon and the SECRET

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early hours of Monday morning. Responsibility for this action has yet to be established. The CCTV at the perimeter fence was operating on a normal scanning basis. Had the alarm been activated, the cameras would automatically have concentrated on the area of the breach.

- 7 Under normal circumstances the intruders would have been delayed before proceeding further into the Base by three large coils of barbed tape. These, however, had been removed at the adjoining section (Zone 12) to enable engineering work inside the perimeter to proceed. In addition, one of the MDP patrols had recently been relieved for a refreshment break, so that temporarily the adjacent patrol had a larger area to cover. This could well have been noted by ANDs watching from concealment.
- 8 The intruders then proceeded to the Maidstone Gate. There was little opportunity for their detection en route as the ground in this area, being of lesser security significance, is lightly patrolled and affords both natural and building cover. The intruders gained access to the Red Area (the second most sensitive area) at the Maidstone Gate position. This Area, which is under security surveillance by random foot patrols, was congested by portacabins and construction equipment owned by contractors engaged in site development. The intruders were able to scale the gate by using a ladder which they found. It is estimated that the intruders entered the Red Area at about 0145 when 1 of the 2 foot patrols permanently deployed in the Area was on a tea break without relief. Because of pressure on MDP manpower this is usual routine.
- 9 The intruders then moved through the Red Area past the nuclear powered submarine, HMS TRAFALGAR, lying at No 3 It is reported that they contemplated attempting to board TRAFALGAR but were dissuaded by a combination of the Radiation Exclusion Zone signs which they saw there and the presence of the watchkeeper on the conning tower. They were not spotted by the watchkeeper in TRAFALGAR because of contractors' impedimenta on the jetty. The intruders went on undetected towards the locked gate at the northern access to the Green Area. They penetrated the Green Area by climbing the security gate using a number of large dustbins, which had been lashed to the outside of the fence and which afforded them a ready made ladder. Their intrusion unobserved into the Green Area was further helped by some defective floodlighting. Had there been 4 Royal Marine sentries on patrol within the Green Area, as the orders stipulate, instead of 3, as was the case on 9/10 October, it is possible that a sentry would have been in position near the Access Gate and would have observed the intruders as they scaled the The Royal Marine Detachment Commander had, however, failed to ensure that the correct number of Royal Marine guards were detailed as jetty sentries. The view of all the

SECRET 13 The Inquiry has reached the conclusion that the main aim of the intrusion was the daubing of slogans by the female AND swimmer on the Admiralty Floating Dock. The 3 men who succeeded in boarding HMS REPULSE - and on whom for obvious reasons attention has tended to focus - had intended to create a diversion by entering the Base elsewhere. REMEDIAL MEASURES 14 Although the Board of Inquiry will need to complete its close and thorough examination of the evidence before final reccommendations are made, the above narrative indicates a number of measures which need to be implemented to improve security. The main ones are a) Further training and briefing of the MDP guard force to ensure greater familiarity with the operation, capabilities and limitations of the PIDS and its associated CCTV cameras; b) An MDP Inspector should be appointed to supervise the complete operation of the PIDS system; c) Additional patrols with dogs in any areas where the perimeter defences (whether PIDS or barbed coils) are temporarily out of action; d) Refreshment breaks for patrolling constables should be staggered in such a way as to ensure that maximum cover is maintained at all points and that there is no reduction of officers on patrol in the Green Area at any time; e) Strict compliance with standing orders, particularly with regard to submarine sentries and hatches; f) The provision of more secure gangway gates, allowing sentries to control access to berthed submarines more effectively; g) Immediate vicinity of submarine gangways to be kept clear of impedimenta; h) The 6 armed guards required to patrol the Green Area should always be present in the required numbers and should be better briefed and supervised in their duties; j) Windows of observation posts should be kept clear and spotlights kept free from defects; k) Barbed coils should be fitted to the top of the gates giving access to the Green Area; 1) High intensity floodlighting should be installed at the southern end of the SSBN jetty to illuminate the foreshore and the external perimeter of the Admiralty Floating Dock; m) Joint Operating Instructions should be produced for MDP waterborne patrols and RM jetty sentries and for RM/RN/MDP patrols in the Green Area; n) The Red Area fence should be examined regularly for vulnerable points and kept free of impedimenta and welllit. When forwarding his interim report the Flag Officer separately instructed Commodore Clyde to implement as far as possible all its rec¢ommendations. Commodore Clyde has SECRET

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reported to the Flag Officer that action is complete on 15 ${\rm rec}\phi$ ommendations and is in hand on a further 6. The 2 actions remaining are outside Commodore Clyde's control and are being addressed separately.

SECRET MINISTRY OF DEFENCE MAIN BUILDING WHITEHALL LONDON SW1A 2HB Telephone 01-218 2111/3 MO 23/10L october 1988 as Charles CLYDE SUBMARINE BASE: INTRUSION Thank you for your letter of 12th October about the intrusion into the Clyde Submarine Base on 10th October. The Board of Inquiry, which has been set up to establish the full circumstances of the intrusion, is due to report to the Flag Officer Scotland and Northern Ireland within the next few days. Its findings, which will cover the issues of responsibility and remedial action mentioned in your letter, will then be forwarded urgently to

the Secretary of State by the Flag Officer and Commander in Chief with recommendations for action. My Secretary of State intends to make a full report to the Prime Minister at that stage. He hopes to be in a position to make such a report by the end of next week.

My Secretary of State is clear that an incident of such a serious nature must not be permitted to recur. He will be looking, therefore, in particular, for clear evidence that the weaknesses which enabled it to happen have been identified, that effective remedial action has been taken and that any broader lessons for security at sensitive defence installations elsewhere are followed through promptly. In the meantime, a number of immediate measures have been taken to improve Base security which include additional patrols by the Ministry of Defence Police, the removal of material providing the potential for cover from the jetty area and instructions that the hatches on alongside submarines should be kept closed. These immediate precautions are particularly important in view of the impending weekend of CND demonstrations, which will target Faslane as well as Portsmouth and Upper Heyford. Over the weekend, there will be a significant increase in MOD and Civil Police presence at the Base, to both the landward and seaward.

On the question of individual culpability, there are, as you will be aware, standing disciplinary procedures for both uniformed and civilian personnel who are found guilty of negligence or misconduct. We must await the outcome of the Inquiry to see whether such evidence exists but the Prime Minister may be assured that appropriate action will be taken in that event.

> (B R HAWTIN) Private Secretary

Charles Powell Esq 10 Downing Street



10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

Colir CC

12 October 1988

CLYDE SUBMARINE BASE: INTRUSION

You wrote to me on 10 October about the intrusion by anti-nuclear demonstrators into the Clyde Submarine Base at Faslane.

The Prime Minister is absolutely appalled by this incident. She thinks it has all the hallmarks of slackness in protecting sensitive defence installations of which there has been far too much evidence, despite all the assurances which she has received from the Ministry of Defence about the measures taken to provide protection. She wishes a full report to be made to her at the earliest possible moment with a clear indication of where responsibility lies, what action is being taken against those responsible for such a grave breach and recommendations to ensure that it does not happen in future. I should be grateful if you would let me know very rapidly when we can expect such a report.

CHARLES POWELL

Brian Hawtin, Esq., Ministry of Defence.

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SECRET A-B I am utterly horrfied . Exam Stadeness in smaller matters Ices MINISTRY OF DEFENCE MAIN BUILDING WHITEHALL LONDON SW1A 2HB Telephone 01-218 2111/3 a very derions October 1988 inteld. Had They below amed turnit, the constitues

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CLYDE SUBMARINE BASE: INTRUSION

CLYDE SUBMARINE BASE: INTRUSION

A book look. This was all The Prime Minister will wish to know the circumstances of an sion last night by Anti Nuclear Demands intrusion last night by Anti Nuclear Demonstrators (ANDs) into the Clyde Submarine Base at Faslane. your concer known. At approximately 2am this morning, 3 men were apprehended after forcing their way onto the nuclear deterrent submarine, HMS REPULSE, while she was alongside at the Clyde Submarine Base (CSB) at Faslane. Shortly afterwards a fourth intruder, a woman, was detected and pulled from the water nearby, close to the Admiralty Floating Dock

At approximately 2am this morning, 3 men were apprehended after forcing their way onto the nuclear deterrent submarine, HMS REPULSE, while she was alongside at the Clyde Submarine Base (CSB) at Faslane. Shortly afterwards a fourth intruder, a woman, was detected and pulled from the water nearby, close to the Admiralty Floating Dock where another deterrent submarine, HMS RESOLUTION, is currently docked. A fifth intruder was arrested outside the perimeter of the CSB, close to the Oil Field Depot - an installation of considerably less sensitivity than the Base itself. All were members of the AND movement and the intrusions seem to have been designed to attract publicity to their cause. No damage was done, though anti-nuclear graffiti were daubed in the Control Room of HMS REPULSE, to which the intruders gained brief access.

Investigations have been taking place today to establish how the intruders were able to gain access in this way. While the full circumstances are not yet clear, it appears that the party of 3 ANDs entered the Base by cutting a hole in the perimeter security fence: then, by a circuitous route, it made its way to the high security jetty area, where HMS REPULSE was berthed, and hid until armed security patrols were temporarily out of sight. The party then rushed the single gangway sentry, who was unarmed, and was able, albeit only momentarily, to gain entry to the submarine. There was absolutely no risk of a nuclear explosion or radiation. It is not yet known how the woman swimmer or the intruder into the Oil Depot effected their respective entries.

The Faslane Base is a well protected establishment. It has a relatively new weldmesh security fence equipped with CCTV and an Intruder Detection System (IDS) and surmounted and backed by barbed

Charles Powell Esq No 10 Downing Street



coils. It is not, therefore, clear at this stage how the intruders succeeded in entering without the alarm being raised, though it has been established that the IDS was temporarily out of action during the weekend at the spot where the intruders are believed to have entered. Once in the Base, the intruders may have been helped by the presence on site of large quantities of contractor equipment (ladders, building materials), which could have provided both cover and assistance. Once they reached the jetty, they would appear to have concealed themselves and awaited a moment when all 4 armed patrolling sentries and the sentry on the submarine casing were out of sight in order to rush the gangway guard.

My Secretary of State takes a most serious view of this incident, particularly as HMS REPULSE was armed at the time of the intrusion. He has asked for a full inquiry to be conducted as a matter of urgency and a Board of Inquiry is now being convened by the Flag Officer Scotland and Northern Ireland for this purpose. The Secretary of State is aware of the Prime Minister's concerns on the subject of nuclear weapon security and will be taking a close personal interest in the outcome of the Inquiry in order to establish what remedial measures need to be taken to prevent a recurrence. He will report again at that stage.

Finally, the Prime Minister will wish to know that the Secretary of State is due to be interviewed by BBC Radio "Today" and BBC Breakfast Time television tomorrow morning and we can expect the intrusion to feature in both interviews.

(B R HAWTIN)

Private Secretary

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10 DOWNING STREET
LONDON SWIA 2AA

From the Private Secretary

15 April 1988

LEGALITY OF CONSTRUCTION AT RAF GREENHAM COMMON

Thank you for your letter of 13 April about the problems which had arisen over the legality of the construction work undertaken at RAF Greenham Common since the 1960s. The Prime Minister was grateful to be informed of the action which the Defence Secretary proposes to take. She commented that it would be wise to offer fairly generous compensation at an early stage in the hope of defusing opposition to the proposed extinction of commoners' rights.

C. D. POWELL

Brian Hawtin, Esq., Ministry of Defence

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MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB

Telephone 01-218 2111/3

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LEGALITY OF CONSTRUCTION AT RAF GREENHAM COMMON

The Prime Minister will wish to be aware of a legal problem, which casts doubt on the legality of the construction work undertaken at RAF Greenham Common since the 1960s, and of the course of action which it is proposed to take in the light of it.

The airfield at RAF Greenham Common covers part of Greenham and Crookham Commons, over which a small number of local inhabitants (34 registered for Greenham and 30 for Crookham) have specific commoners' rights (including taking gravel, grazing and collecting wood, but not general access). Section 194 of the Law of Property Act 1925 lays down that the erection of any building or fence, or the construction of any other work which prevents or impedes access to common land, must be approved by the Minister (now the Environment Secretary), who may have to hold a local enquiry before reaching his decision. This requirement is separate from and additional to the normal provisions of the Town and Country Planning Acts.

When the base was fenced off and constructed in 1941, consent under the 1925 Act was not needed, as its provisions were overridden by the wartime Defence Regulations. These lapsed on 31st December 1958, however; and although public meetings were held and planning authority sought in the normal way for subsequent work on the base, the need to obtain additional consents under the 1925 Act was overlooked. During the process of consultation neither the local planning authority nor any of the individual commoners made any mention of this requirement; it has been raised now by a local resident. The advice from our own and the Department of the Environment's legal advisers is that the additional consents should have been obtained.

It is therefore open to an individual with an established interest in the common, or else the District or County Council, to seek a ruling from the County Court on the legality of the construction. Our understanding is that the Court might well declare the construction unlawful. Although an order to remove the

Charles Powell Esq 10 Downing Street



fences, buildings or other works could not be made against the Crown, the position would clearly be an acutely embarrassing one.

Officials here and the Treasury Solicitor have examined the legal position and concluded that the only course of action which would effectively deal with the problem, in relation both to past construction and any future proposals for the base, would be to extinguish the existing commoners' rights under the provisions of the Defence Act 1854. This provides for the Secretary of State for Defence to convene a meeting of commoners who elect a committee to negotiate compensation with the Ministry. In the event of failure to agree compensation, the matter would go to the Lands Tribunal for determination of the amount payable (although the Tribunal could not prevent us from extinguishing the commoners' rights). Once compensation had been paid the Secretary of State for Defence could execute a deed poll which effectively freed the land in question from common rights. Thereafter Section 194 of the Law of Property Act would no longer apply.

I should mention also an additional problem that has arisen in relation to RAF Greenham Common. In a recent case Reading Crown Court declared the byelaws (which among other things make trespass an offence) invalid. An appeal has been lodged against this ruling, which will probably be heard in the Divisional Court in June or July. Although this is an entirely separate legal issue, there could well be a linkage in the public mind, and there is a risk that a move to extinguish commoners' rights before the appeal could be seen by some as an attempt to pre-empt the outcome.

Because extinguishing commoners' rights is a very lengthy process, Mr Younger would nonetheless be reluctant to delay starting it until June or July. But it is clear that public presentation will require very careful handling. Mr Younger's inclination is, it possible, to let Mr McNair Wilson, the local MP, and the Commoners' Association (which covers both Commons) know what the position is and discuss it with them before our intentions become public. Relations between the Commoners' Association and RAF Greenham Common have been very good, including recent contact over the byelaws issue, and the commoners have to date taken a generally supportive attitude. But they are unlikely to be happy to see their rights extinguished, even though these have not been exercised for a prolonged period; we would need to make clear that this action is the only way in which we can preserve the flexibility we need over the future use of a major defence asset.

I am sending copies of this letter to Roger Bright (Department of the Environment), Michael Saunders (Law Officers' Department) and to Trevor Woolley (Cabinet Office)

(B R HAWTIN)
Private Secretary



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MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB

Telephone 01-218 2111/3

281 March 1988

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ANTI-NUCLEAR ACTIVITY AT EASTER

I understand that at Cabinet last Thursday, Ministers considered issues likely to arise over Easter, including the possibility that anti-nuclear activity over the period might raise the profile of nuclear weapons policy. I enclose a short brief, in bull points form, on which Ministers may wish to draw.

I am sending copies of this letter to Charles Powell (No 10) and to the Private Secretaries to other members of Cabinet.

you, whenly

(D C J BALL) Private Secretary

Trevor Woolley Esq Cabinet Office

3595 Deterrence The objective of deterrence is to prevent war by making it clear to a potential aggressor that the risks he would face would be out of all proportion to any potential gains. This strategy has maintained the peace in Europe for nearly 40 years. For the foreseeable future, successful deterrence must rely on nuclear weapons. Conventional weapons alone cannot deter war. Role of UK Nuclear Deterrent 2. The United Kingdom's independent nuclear force plays an essential role in deterring attack. Our present Polaris force needs to be replaced if we are to maintain an effective deterrent and so we are proceeding with the Trident programme. Like Polaris it will represent the minimum force necessary. Arms Control & Disarmament (General) This Government is committed to the negotiation of realistic and verifiable arms control agreements. Strong defences and the pursuit of detente through arms control and other measures are complementary aspects of security policy. The INF deal is a vindication of this approach. Unilateral disarmament would remove our ability to deter aggression, thus increasing rather than reducing the dangers of war. Arms Control Priorities 4. The Government fully supports the US-USSR INF agreement. If. NATO had abandoned its own forces unilaterally the INF deal would never have been achieved. The United Kingdom and its NATO allies have a comprehensive set of further arms control priorities: a 50% reduction in US and Soviet strategic nuclear arsenals; a global ban on chemical weapons; and an agreement to redress the imbalance in conventional forces in Europe. The priority in the strategic arms talks must be reductions in the massive arsenals of the United States and Soviet Union. Cuts in the Soviet arsenal would need to go well beyond the 50% now in prospect beyond reductions in the British deterrent could be considered. The Warsaw Pact has a significant numerical advantage in conventional forces in Europe and chemical weapons. Agreements in these two areas are necessary steps towards greater security (and should come before we consider negotiating further cuts in

From: THE PRIVATE SECRETARY



HOME OFFICE QUEEN ANNE'S GATE LONDON SWIH 9AT

24 June 1986

Den Mark

MEN

You mentioned that Mr Maxwell Hyslop was to see the Prime Minister tonight and that the Devon and Cornwall police authority's claim for interest payments on the money owed them by Derbyshire might be discussed. I attach some briefing prepared by the Department.

Jours and

W R FITTALL



EVON AND CORNWALL POLICE AUTHORITY: INTEREST COSTS

Line to take

There is no lack of sympathy for Devon and Cornwall ratepayers or indeed ratepayers in the other areas whose police authorities were not reimbursed by the Derbyshire police authority for many months. But the Home Secretary cannot ignore legal advice to the effect that he could be acting unlawfully if he used his powers to require the Derbyshire police authority to pay interest costs. There seems no justification for a special payment from central Government funds to the Devon and Cornwall police authority and other authorities similarly placed. Special payments to police authorities have been made in the past where an authority is faced with an exceptional and unforeseeable demand on its finances which could not be absorbed without endangering force efficiency but that is not the position here. In any case it is a longstanding Treasury requirement that central Government grant is not paid on interest costs.

Background

- 1. This issue arises from mutual aid provided during the miners' dispute by the Devon and Cornwall Police to the Derbyshire Police. Under the Police Act 1964 it is for the police authorities for the forces concerned to agree a "contribution" from the aided to the aiding authority towards the costs incurred. If they cannot agree, the Home Secretary has power to determine the contribution. The Derbyshire police authority for political reasons refused to make any contribution to other police authorities who accordingly applied to the Home Secretary to use his power (which has never previously been used).
- 2. The Devon and Cornwall police authority (in June 1985) was the first applicant to include interest costs incurred as a result of the Derbyshire authority's refusal to reimburse expenditure. The then Home Secretary determined the bulk of the contribution to be paid (some £4.5m) in September 1985, reserving the interest costs (some £400,000 up to 1 June 1985), a 5% administration charge and some minor administrative items for further consideration. The Home Secretary, while sympathetic to Devon and Cornwall's claim, was concerned to ensure that he would be acting lawfully and that there

would be no breach of normal central Government grant requirements and no undesirable consequences for the system of mutual aid. It became clear that there was a strong possibility of legal challenge whichever decision he made. He therefore sought the advice of Treasury Counsel, who was of the view that a court might well find that he had acted unlawfully if he included interest charges in the "contribution" determined for payment by Derbyshire. He accordingly made a determination, totalling some £258,000, excluding the interest costs but including all other remaining items.

- 3. The Devon and Cornwall Police were one of the major providers of mutual aid to the Derbyshire Police during the miners' dispute. The total expenditure by the Devon and Cornwall police authority determined by the Home Secretary is, at £4.7m, second only to the Metropolitan Police, who incurred some £5.5m (and did not claim interest). However, the Cheshire police authority incurred some £4.6m and 25 other authorities have made claims ranging from £1.6m to £7,000. The total claimed to date is nearly £23m. Six other police authorities included interest costs in their applications and are being told that the Home Secretary has excluded these costs from the sum determined in each case. There are no grounds for distinguishing the Devon and Cornwall application from the other 27.
 - 4. The Devon and Cornwall police authority was told of the Home Secretary's decision on 9 June and the Home Secretary wrote to Mr Maxwell-Hyslop the same day (copy attached). To date there has been no response. It is not therefore known whether the authority intends to fulfil its threat to seek a judicial review. It is understood that there was some resentment among the other Devon and Cornwall Conservative Members about Mr Maxwell-Hyslop's previous meetings in March with the Home Secretary and the Prime Minister, since he had not informed them of his intentions and was not necessarily representing their views.
 - 5. Mr Maxwell-Hyslop has previously alleged that the Home Office has gone back on an undertaking to include interest costs in the determination. No such undertaking was given and the police authority has never suggested that it was. Mr Maxwell-Hyslop may be referring to the current Home Office guidance circular on financial arrangements for mutual aid which suggests circumstances

E.R.

The previous Home Secretary made clear during the dispute that he did not consider that these circumstances applied; in any case there is an annex to the circular setting out the costs to be recovered under such an arrangement and interest is not included. The circular is being revised at present in consultation with the local authority associations.

PRIME MINISTER

ROBIN MAXWELL-HYSLOP, MP

Mr. Maxwell-Hyslop is coming to see you at 9.45 pm tomorrow night (having requested the meeting in a rather offensive letter). He says that he wants to talk about two things:

- i. to follow up his rather obscure Question about GCSE last
 Thursday. In the folder there is an extract from

 Mr. Baker's speech in the Education Debate recently which
 sets out the full position.
 - ii. to follow up his memorandum on rural affairs which he presented to you at your last meeting. Two particular points arising out of this are:
- the state of rural schools in Devon and in particular the provision for indoor sanitation. Also in the folder is a note from DES which confirms much of what Mr. Maxwell-Hyslop has said. The point to make here is that spending on repairs and maintenance of schools by education authorities has gone up by 8% since 1979 but is of course spread too thinly. If local authorities got on with the business of reducing the number of redundant school buildings they would have more to spend on keeping up the maintenance of the rest. Remember the Audit Commission said that there were at least a thousand excess secondary schools throughout the country and presumably the same applies to primary schools.
- policing costs. Also in the folder is the letter from the Home Secretary explaining why he had no option except to ask the Devon Police Authority to pay the interest costs on the cost of the help they gave to Derbyshire during the miners' strike.



TF

23 June 1986

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Dear Michael,

Please arrange of me
to see the PM next week — and
I don't mean late at night, to be
told that other meeting have menmen, and mine is concelled, which
you did hepre, and failed to rimstate.

That my hoppours mee!

Whin Maxwell-Kylls



PERCEPTION OF GOVERNMENT POLICIES AS ANTI-RURAL: NOTES FOR VISIT TO DEVON.

On the reasonable assumption that Government policies are both coherent and intentional, it has become increasingly difficult to rebut assertions that Government policies are calculated to penalise rural areas, and are careless of the accumulated needs of rural areas. The following are but examples:

- 1). Punishing the rural areas for having a history of low-spending:
 - a).Historical expenditure pattern frozen first by "targets", and most recently by effect of the "tapering" substituted for it.
 - b). Yet this history of low expenditure has consequences which NOW NEED urgent remedy, e.g.
 - i)Numerous schools with leaking roofs and no money to repair them
 - 11) Numerous schools with antique, unheated and unlit outdoor lavatories. In cold weather these freeze, and excrement overflows over the floors, freezing there, and children falling onto it.
 - iii)Comprehensive schools with up to five chidren having to use the same book.
 - iv)Complete year-classes being denied PT, because the facilities cannot provide for all the children in the school.

 THESE ARE BUT SOME EXAMPLES: MANY MORE COULD BE GIVEN.
 - C).Break-up of the SUBSTRUCTURE of unclassified roads, due to underspending on maintenance over a prolonged period.
- 2). As of March 25th 1986, Home Office reneging on Brittan's undertaking to reimburse Devon & Cornwall Police Authority full cost of aiding Derbyshire Constabulary for policing during Miners' Strike: £642,605 in interest charges STILL UNPAID, amd £225,901 for administrative expenses. This is accompanied by DoE enjoining upon the County Authorities which will otherwise have to pick up the bill!

3) . HOUSING:

- a) For year 1986/7, Do**F** has forbidden the Housing Copporation to allocate funding FOR A SINGLE NEW HOUSE IN DEVON through Housing Associations, making a mockery of the Government's allaged policy towards the private sector.
- b).District Councils with tiny resources made to pay 10% of GOVERNMENT'S requirement that they buy back defective housing. This obligation, taken with the necessity to restore or replace their own housing stock in this category, destroys the Council's ability to meet new housing needs, created by:



3(b) Cont'd

- (i) Purchase from existing private housing stock for holiday homes
- (ii) Incomes toolow for mortgages to buy in private sector
- (iii) Absence of property to rent in private sector, because of holiday-home demand.

4) TOWNEE APPROACH TO POLICY-MAKING:

Ministers make <u>national</u> policy on basis of what suits London and large urban areas, CARELESS OF HOWEVER INAPPROPRIATE THIS MAY BE FOR RURAL AREAS.

EXAMPLES:

A)Funding of urban recovery programmes by taking money from the already deprived rural areas (leaving rich places like Worthing untouched by hardship): the funding should of course have come from general taxation resources, fairly raised by fair taxation, and not by the existing rating system from areas already deprived.

B)Miscomceived private monopolies:

- i)The British Telecom Licence was so carelessly drawn that it enables British Telecom to milk the domestic consumer, PRODUCING THE MOST EXPENSIVE LOCAL CALLS IN EUROPE, AND WITH FURTHER ABUSE OF MONOPOLY TO FOLLOW.
- II)Water-privitisation promised, with accompanying document recommending similar licence to British Telecom, i.e. open to the same abuse of the domestic consumer.

Moreover, as the Water Authorities' assets were paid for by the RATEPAYERS, they are not the Government's to sell off, unless we now claim that the Conservativ's were guilty of nationalisation in 1974, to which we have never admitted.

5).PERSISTENTLY INEPT HANDLING OF AGRICULTURAL POLICY:

Examples:sending Ministers round Britain saying that whatever happened milk quotas would not be introduced:then saying that "farmers should have seen quotas coming",i.e. that they should have disbelieved Ministers.

:permitting Eire, whose milk expansion was one of the major causes of the over-supply, ADDITIONAL QUOTA, allegedly in return for keeping Beef Variable Premium: then in subsequent years, giving more and more concessions to keep BVP, which was claimed to have been secured by the monstrous concession of additional quota for milk to Eire in 1884.

:reducing funding of Agrécultural and Veterinary research so much that its essential structure is imperilled.

CONCLUSION:

WHAT IS NEEDED IS A SUBSTANTIAL REVERSAL OF POLICY TOWARDS THE RURAL AREAS, BEFORE THE CONSERVATIVE PARTY THERE IS DESTROYED FOR LIBERAL BENEFIT.

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Mr. Manwell-Hyslep will
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de news. MEH 11/6

Home Office QUEEN ANNE'S GATE LONDON SWIH 9AT

11 June 1986

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Following the Prime Minister's meeting with Mr Maxwell-Hyslop MP William Fittall wrote to you on 7 April setting out the background to the application by the Devon and Cornwall Police Authority for the Home Secretary to use his power to require the Derbyshire Police Authority to pay it certain interest costs arising from the provision of mutual aid during the miners' dispute. Your letter of 9 April asked that we let you know when the Home Secretary had made his decision on the application.

As mentioned in William's letter, the views of Treasury Counsel were sought on the chances of resisting an application for judicial review if the Home Secretary either granted or rejected the application for interest costs. Treasury Counsel has advised that, if the Home Secretary were to include interest costs in a determination under section 14(4) of the Police Act 1964, there is a strong possibility that a court would find that he had acted unlawfully. In the light of this advice the Home Secretary has excluded interest costs from the determination he has now made and is writing to Mr Maxwell Hyslop to tell him what he has done.

S W BOYS SMITH

10 DOWNING STREET 9 April 1986 From the Private Secretary Door William Thank you for your letter of 7 April to Tim Flesher about the costs incurred by the Devon and Cornwall Police Authority. The Prime Minister has noted the points in your letter. I should be grateful if you would let me know when the Home Secretary made his decision. Zer Man Addoor Mark Addison William Fittall, Esq., Home Office.





Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Douglas Hurd CBE MP Secretary of State Home Office 50 Queen Anne's Gate London SW1H 9AT Prime Nivestor 2 9hr

April 1986

Der Dorfor

POLICING COSTS: CAMBRIDGESHIRE

Thank you for your letter of 7 March about the extension to 1986-87 of the special payment to Cambridgeshire towards the cost of policing demonstrations at Molesworth and Alconbury. George Younger has also written to me about this.

We have quite rightly been sparing in the past of our use of special payments. They are intended to help a local authority meet exceptional costs which it would not be reasonable to expect them to have anticipated in drawing up their budgets or setting their precepts. In the case of the special payment to Thames Valley arising from the Greenham Common demonstration, Leon Brittan explicitly acknowledged this and accepted that the payment in 1983-84 was a one-off. There is now a permanent demonstration at Molesworth and Alconbury, which requires a continual police presence. By definition this has now become part of the basic policing responsibility of the local police authority. Cambridgeshire have had a year to assess its operational and financial consequences, and plan and budget accordingly.

The principle that police authorities must meet the costs of maintaining law and order in their area irrespective of whether the causes of a disturbance have anything to do with their local ratepayers, is fundamental. If we

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continued the special payment to Cambridgeshire for 1986-87, the breach of this principle would inevitably set a damaging precedent. The sum at stake is small in comparison with a police budget for 1986-87 of around £25 million and I do not see that Cambridgeshire can claim that they will be financially pressed if they have to meet their share from their own resources. They have set their precept 33 per cent above the 1985-86 level and are budgetting for around £7 million of new spending. Taking these factors into account I cannot agree to the extension you propose.

I am copying this letter to the Prime Minister, Kenneth Baker, Malcolm Rifkind, George Younger and John Wakeham.

Your en,

JOHN MacGREGOR

Defence; Burns of Demonstration; 2/83



From: THE PRIVATE SECRETARY Prine Mysister (2) HOME OFFICE This rote gives the background QUEEN ANNE'S GATE LONDON SWIH 9AT to the point Mr. Maxwell-Hyslop raised with you before Easter. I will ank the Home office to 7 April 1986 Keep us informed.
MEA 9/4 Thank you for your letter of 27 March about the Prime Minister's meeting with Mr Maxwell-Hyslop. The problem of the interest charges incurred by the Devon and Cornwall police authority arises from their claim against the Derbyshire police authority for costs incurred in the provision of mutual aid to the Derbyshire police during the miner's dispute. If police authorities cannot agree on the contribution to be paid by the aided authority to the aiding authority, the Home Secretary has power under section 14(4) of the Police Act 1964 to determine it and a number of authorities, including Devon and Cornwall, have asked him to do so in respect of mutual aid to Derbyshire. The application from the Devon and Cornwall police authority included interest charges arising from the funding of the expenditure which the authority considers that Derbyshire should reimburse. It was the first application to include such charges. It is a longstanding Treasury practice, to which the Home Office has always adhered, that specific grant is not paid on interest incurred or foregone. Police grant has never, therefore, been paid on interest costs and the same policy was applied to the special payment which was made to police authorities for the approved additional costs of policing the miners' dispute. If the interest charges are included in the determination for Devon and Cornwall, the entire cost of this item will fall on the Derbyshire ratepayers. The possibility of interest charges arises every time mutual aid is provided since there is inevitably an interval between the aiding authority incurring expenditure and its being reimbursed by the aided authority. In general police authorities accept that mutual aid operates on a "knock for knock" basis with some cost sharing. Such normally minor and distantly related expenditure as interest costs are not reclaimed. To pay police grant and the special payment to Derbyshire to meet the interest charges if they were included in the determination would smooth the way in this case but would be a precedent which would involve substantial increased expenditure (probably some millions of pounds) from central funds. Treasury approval would be needed and would not be readily given. There is little doubt that, if the Home Secretary does not include the interest charges in his determination, the Devon and Cornwall police authority will seek a judicial review of his decision. But, if he does include such charges, the Derbyshire police authority will seek a judicial review either of his decision or of the refusal to pay police grant or the special payment on interest costs. Before he takes a final decision he considers it only prudent to gauge the chances of resisting court proceedings from either authority. The views of Treasury Counsel are, therefore, being sought. The Home Secretary will then make his decision, probably in a matter of weeks. - 1 -

Robin Maxwell-HYSLOP 10 DOWNING STREET 27 March 1986 From the Private Secretary As you know, Mr. Robin Maxwell-Hyslop, MP, saw the Prime Minister on Thursday to discuss a number of matters relating to Devon. A particular point which Mr. Maxwell-Hyslop took up with the Prime Minister was what he called the reneging of the Home Office on a previous undertaking to reimburse the Devon and Cornwall Police Authority for the full cost of aiding the Derbyshire Constabulary for policing during the miners' strike. He said that £642,000 in interest charges and £225,000 for administrative

4 April.

(TIM FLESHER)

expenses was still outstanding. I should be grateful for a note setting out the

position, if possible to reach me by Friday

Stephen Boys-Smith, Esq., Home Office.

879W

PART ONE ends:-

SS. MOD to CST 26.3.86

PART TWO begins:-

asonto Home office 27/3/26 8-4-1986