

Home Affairs

P.0665

PRIME MINISTERThames Barrier - Teesside Docks Dispute

(E(82)17)

BACKGROUND

You will recall that the Minister of Agriculture mentioned under Industrial Affairs at Cabinet last Thursday that the continued delay to the construction of the Thames Barrier caused by the Teesside dock strike could give rise to a serious situation next January/February, when the risk of a tidal flood is at its highest. His paper describes the situation in greater detail and discusses in paragraph 4 four options a to d. He explains that if the barrier is to be completed by November, the Thames Barrier gates need to be released by 21 March.

THE OPTIONS

Option a

2. Option a is to secure an early resolution of the pay dispute between the Tees and Hartlepool Port Authority and the dockers. The Advisory, Conciliation and Arbitration Service (ACAS) is in touch with the parties to see if a basis for negotiation can be found. A Committee of Inquiry under the auspices of ACAS may well eventually prove to be necessary, but the Department of Employment and ACAS judge that it is too early to attempt this approach. In any case, a Committee of Inquiry would be unlikely to produce the basis for a settlement within the timescale necessary if the Thames Barrier gates are to be released by 21 March.

Option b

3. Option b is to obtain acceptance that the loading of the gates does not fall within the National Dock Labour Scheme. Both the National Dock Labour Board and the Office of Industrial Tribunals are aware of the need for a



speedy ruling on Cleveland Bridge's claim. Clarification of the legal position would not automatically affect the attitude of the strikers, although it would add weight to the efforts of the Government and the others concerned to have the gates released. However, again, it seems unlikely that the procedures could be completed in time for the gates to be released by 21 March.

Option c

4. Option c is to try and persuade the dockers to release the gates and this is being pursued already. The Minister of Agriculture has been in touch with the TUC General Secretary, Mr Murray, who recognises the dangers from the point of view of the trade union movement and has promised to help. Mr Murray has talked to Mr Moss Evans of the Transport and General Workers Union (TGWU), who will be attending a meeting in Newcastle today to discuss the situation. By tomorrow's meeting the Minister of Agriculture hopes to have heard again from Mr Murray and to be able to report on the Newcastle meeting. Meanwhile, the GLC Leader Mr Livingstone has already made it clear in his letter to the Government, copy attached, that his approach to the problem is that the Government should provide the Tees and Hartlepool Port Authority with funds to pay the dockers what they want. The publicity campaign has already started (see Tuesday's Evening Standard - copy attached). Some Labour GLC members have apparently been pleading with the strikers, so far to no avail. One question which will need to be discussed at tomorrow's meeting is how the Minister of Agriculture, who has taken on the letter from Mr Livingstone, should respond to the GLC.

Option d

5. Option d is to use the armed services. The army could probably load the gates at Teesside, if they had access to the specialist equipment involved, and ship them down to the Thames. This would not however solve the problem unless the gates could be fitted. The first question to be explored would be whether the workforce at the Thames Barrier would be prepared to fit the gates despite the fact that they had been moved by the army or, failing that, whether they would allow the army to fit the gates under management supervision without disrupting the rest of the work on the barrier. The latter would be very much a second best solution because, ^{even} if the work force were to permit it, we understand that the MoD is not wholly confident that the army could do the job,



and it seems unlikely that the army could complete the fitting of the gates by January 1983, when the period of highest flood risk begins.

Downstream defence

Flag C

6. Paragraph 6 of E(82)17 suggests that if all else fails it might be necessary to provide that, if a major surge of water was threatened, the flood defences downstream would be breached so that some of the water would flood low-lying land in Essex and Kent rather than central London. But this approach seems unlikely to prove practicable. It would involve the destruction of large sections of defences which together have cost £250 million. Explosive charges would have to be laid in advance so that they could be detonated when it seemed that a tidal surge sufficient to flood London seriously was on its way. The last measurement of tidal surges is at Southend, approximately an hour before it would reach central London. But the height of the eventual tidal wave in central London cannot be predicted with complete accuracy, and thus the defences could well be blown up unnecessarily. There is a major political difficulty in that the Government would have to take responsibility for deliberately flooding Kent and Essex in order to protect central London.

7. If this possibility were to be investigated further, two aspects would need to be explored very carefully. One is the amount of warning which would be available to places like Canvey Island before the defences were breached. It seems very probable that insufficient time could be allowed for evacuation and there would thus be a major risk of loss of life. Secondly there is a major legal problem since the defences do not belong to the Government but to the Thames, Anglian and Southern Water Authorities. Unless the water authorities could be persuaded to allow the defences to be breached and thus probably incur considerable legal liabilities themselves, the Government would have to take powers to compel them, and it is not clear that there are any existing powers, even under the Emergency Powers Act, which could be used for this purpose.

8. It seems doubtful therefore whether the breaching of the downstream walls should be contemplated. If the Committee decided that the possibility was worth considering, it would need not only very thorough investigation but also most sensitive handling because of the alarm which might be created in Canvey Island and elsewhere.



ASSESSMENT OF THE OPTIONS

9. It is clear from the discussion of Options a to d that the main priority is to try to bring pressure to bear on the strikers through the trade union movement. The GLC leaders are evidently not likely to be much help, although the Government will need to ensure that Mr Livingstone does not succeed in his effort to put the Government rather than the strikers on the spot. Meanwhile the various efforts to settle the pay dispute through ACAS (Option a) and to get the loading of the gates accepted as outside the National Dock Labour Scheme (Option b) ought to continue. The Committee may also feel that Option d, the use of the army, should not be ruled out entirely. The crucial consideration would be whether the gates, once moved by the army, would be fitted by the Thames Barrier workers. If the TUC and TGWU came out firmly in favour of release of the gates, and the Teesside dockers were completely isolated in terms of public sympathy, there might be some chance that the workers at the Barrier would acquiesce in the delivery of the gates by the army and would be prepared to fit them.

10. The timetable for handling the campaign of pressure and persuasion on the dockers set out in para 5 of the Minister of Agriculture's paper has already been overtaken by events. The Committee will need to consider the next steps in the light of the latest information about the efforts of the TUC and TGWU.

HANDLING

11. You will want to invite the Minister of Agriculture to introduce his paper, and, in particular, to report on his contacts with the TUC General Secretary. The Secretary of State for Employment might report on what success, if any, ACAS has had in its discussions with the parties to the dispute earlier this week. The Secretary of State for Defence might comment on whether, as a long stop, the army might be able successfully to undertake this operation. You will also want the Secretary of State for Employment to comment on the industrial relations implications of doing so.

12. You will then wish to focus the discussion on the best way of bringing pressure to bear on the strikers and in particular on further exchanges with the TUC, TGWU and GLC.



13. Finally, you will want to seek views on whether further work should be done on the feasibility of breaching the downstream barriers (paragraph 6 of the paper). The Minister of Agriculture might be asked to explain more fully what this would involve and the implications. If, despite the problems described above, the Committee thinks that this is worth pursuing, the Minister of Agriculture should be invited to arrange for his officials to undertake the necessary further work and to report quickly.

CONCLUSIONS

14. You will want to reach conclusions on:

- i. what further action should be taken, through the TUC, TGWU, GLC, the media or in other ways to put pressure on the strikers to release the gates;
- ii. what reply should be sent to Mr Livingstone's letter;
- iii. whether, on a contingent basis, plans should be drawn up for the army to load and ship the gates; and
- iv. whether the Minister of Agriculture should arrange for further work by officials on the feasibility of breaching the downstream defences.

P.L.G.
P L GREGSON

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