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MISC 101(84) 33rd Meeting

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CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held in Conference
Room A, Cabinet Office, Whitehall on
TUESDAY 21 AUGUST at 2.30 pm

PRESENT

The Rt Hon Viscount Whitelaw
Lord President of the Council

The Rt Hon George Younger MP
Secretary of State for Scotland

The Rt Hon Norman Tebbit MP
Secretary of State for Trade
and Industry

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Douglas Hurd MP
Minister of State, Home Office

Mrs Lynda Chalker MP
Minister of State
Department of Transport

Sir Patrick Mayhew QC MP
Solicitor General

Mr Giles Shaw MP
Parliamentary Under-Secretary
of State, Department of Energy

Lord Trefgarne
Parliamentary Under-Secretary
of State for the Armed Forces
Ministry of Defence

SECRETARIAT

Brigadier J A J Budd
Mr J F Stoker

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

SECRET AND PERSONAL

INDUSTRIAL ACTION IN THE COAL INDUSTRY

THE LORD PRESIDENT OF THE COUNCIL said that he had convened the meeting, the first for two weeks, to take stock of developments in the usual range of matters arising from the coal strike.

The Group considered a number of oral reports.

THE PARLIAMENTARY UNDER-SECRETARY OF STATE FOR ENERGY said that 41 pits were working normally, 8 turning some coal and 8 had some men present, while 98 were on strike or picketed out. It was the holiday period at 4 pits which would otherwise be working normally, at 1 which would be turning some coal and at 14 which were on strike or picketed out.

610,000 tonnes of coal had been produced during the previous week and 423,000 tonnes delivered to the Central Electricity Generating Board (CEGB). The total for the previous week of 140 coal trains run was the best for four weeks.

Each National Coal Board (NCB) area now had some men at work. More than 100 were working at Bilston Glen, 152 at Shirebrook and 125 at Warsop: none of these three pits was yet working normally, but the mix of workers who had returned meant that each was now capable of at least intermittent production. Small attendances in the North East region and in South Yorkshire, and other areas where the strike had previously been solid, represented a significant, but delicate, improvement. The Chairman of the NCB was keen to maintain a climate favourable to further, gradual improvements. The return of some workers in previously strikebound areas had led to withdrawal of safety cover by the National Union of Mineworkers (NUM) in a number of cases, causing risk to some of the pits concerned.

Channel 4 news that evening would include an item on Cortonwood. The same programme on the following day would include a debate on numbers of miners at work, to which Mr Scargill had challenged the NCB during the previous week.

It would take the form of a link between Mr Scargill, who it was thought likely might be in Selby with a number of supporters; and Mr Ned Smith of the NCB, who would be in a studio in London. The NCB hoped that it would be possible to air wider issues arising from the dispute, as well as discussing numbers working.

THE MINISTER OF STATE, HOME OFFICE said that the beginnings of a return to work in previously strikebound areas marked a new and difficult phase in the policing of the dispute: it required the police to arrange access for small numbers of miners to closed pits in the face of large-scale picketing. The NCB, representatives of miners wishing to work and others should try further to improve their liaison with local police.

Six striking miners had been remanded in custody in Staffordshire on the previous day charged with arson of coaches used to carry working miners. In Derbyshire, a striker had been sentenced to nine months' imprisonment for sabotage at a NCB depot.

THE MINISTER OF STATE, DEPARTMENT OF TRANSPORT said that British Rail (BR) expected to run 30 coal trains that day. Although the 27 coal trains run on the previous day was the highest Monday total for six weeks, and included two trains from Coalville and two from Westhouses, there had been no significant change in the pattern of refusals of coal traffic by railwaymen. BR had handled difficulties which had arisen over oil traffic in recent days in a low key. This appeared to have been successful: a further oil train had moved to Ironbridge that day. The BR Board were maintaining pressure on the rail unions over their proposed industrial action in September and were to meet them later that day.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that British Steel Corporation (BSC) had generally maintained planned production. The Group were aware, however, of the problem at Hunterston, where BSC wished to bring in the bulk carrier Ostia with a cargo of 92,000 tonnes of coal. The coal was of a type urgently needed for producing a blend which would allow the steelworks at Ravenscraig to remain in production and was sufficient to maintain the plant for four weeks. BSC had sought through the local and national Dock Labour Board machinery to establish their right to berth and unload the

Ostia, which had been blacked by the Transport and General Workers Union (TGWU) in support of striking miners, if necessary without the participation of TGWU members. It was known that TGWU dock workers at Hunterston had been prepared to unload the ship, but had been prevented by Scottish and National Officers of the Union. In spite of receiving legal advice which appeared to support the BSC case, the National Dock Labour Board (NDLB) had avoided ruling on the matters put to them and referred the question back to the local Dock Labour Board.

This placed BSC in a difficult position. They said that they required the Ostia's cargo by 23 or 24 August or it would be necessary for them to begin closing Ravenscraig. This would involve closing the coke ovens and one of the two operating furnaces, which would allow the second furnace to endure for six weeks. If Ravenscraig closed, it was hard to see how it could reopen. The closure of the ovens was likely to cause damage which it would be impracticable to repair. Reopening the plant relying on outside supplies of coke would make it more vulnerable and less economic than before.

If local discussions now under way failed to produce an acceptable solution, the management of BSC wished to bring in the Ostia on the morning of 23 August. They proposed to do so with or without the co-operation of local TGWU members. BSC employees would, however, do only work which was by practice and agreement done by members of the Iron and Steel Trades Confederation (ISTC); and would conform with the terms of the local port agreement concluded on 16 May 1984. In particular, that agreement provided that the services of TGWU tugmen and boatmen should always be ordered by vessels wishing to berth, but did not specifically prohibit unassisted docking if such orders were not responded to. Though the agreement required registered dock workers to be allocated to unloading vessels, the right was specifically reserved to the Corporation after consultation to unload using grabs operated by ISTC members in the absence of registered dock workers. A further requirement in the agreement that registered dock workers' work should not be done by other workers would not be breached if the trimming of cargo in the ship's hold, normally carried out by TGWU members, was left undone.

BSC thus had four choices -

- i. To refrain from berthing the Ostia and to close the coke ovens and one of the furnaces at Ravenscraig. BSC could continue to satisfy its market by increasing production in South Wales.
- ii. To berth the Ostia, but have it sail again without unloading if the TGWU declined to co-operate.
- iii. To berth and unload the Ostia with or without TGWU co-operation.
- iv. To seek an interdiction to require the TGWU to cease its blacking of the Ostia.

No solution which precluded unloading the Ostia met the BSC's requirements. The option of legal action was unattractive because an interdiction - the Scottish equivalent of an injunction - could not be obtained quickly while the Courts were in recess. He therefore concurred with the intention of the BSC if necessary to bring in and unload the Ostia without the co-operation of the TGWU.

In discussion, the following were the main points made -

- a. The performance of the NDLB had been unsatisfactory and its ruling inadequate. It was clear, however, that there was some conflict between the Order governing unloading procedures and the local agreement at Hunterston. Although legal advice to the NDLB had established that free grabbing at Hunterston was ISTC work, it seemed not to have addressed fully the question of supervision and control of the work. Press reports that day that the decision of the NDLB amounted to a ruling against BSC were clearly incorrect, but, on the other hand, it was not possible to interpret the Board's conclusions as implying clearance for the Corporation to proceed as they had proposed.
- b. There was very great media interest in Scotland in events at Hunterston and the risks they posed for Ravenscraig. Public opinion there was strongly on the side of those trying to avoid the closure of the plant.

The indications were that the TGWU might find it difficult to maintain a dock strike within Scotland at a level which either achieved solidarity or produced seriously damaging consequences. If there were doubts about the ability of the TGWU to pursue a strike successfully within Scotland, doubts about their ability to maintain a national dock strike must necessarily be greater.

c. The TGWU did not appear actively to be seeking a pretext for a national dock strike. There were indications that they expected local discussions on the dispute to continue for some little time without dramatic developments. There was thought to be a feeling within the union that the strike in July had been called without adequate preparation of the ground, and that Dover and Felixstowe in particular were unlikely to respond to a further call at present. On the other hand, the National Docks Officer of the TGWU had said publicly that, if the Ostia were brought in, a national delegate conference of the union would be convened with a view to calling a national dock strike. There must therefore be a real risk that docking or unloading the Ostia without TGWU co-operation might lead to a national dock strike, though the odds seemed, on balance, slightly against this.

d. A minority in the Group had doubts as to whether it would be right to bring in the Ostia now if no satisfactory local agreement could be reached. A national dock strike, as well as being undesirable in itself, might affect the return to work taking place in the mines and lead to increased sympathetic action against coal movements. It would provide fuel for trade union militancy on the eve of the Annual Conference of the Trades Union Congress. Most members of the Group, however, considered that it would be right to give the Government's support to BSC and its work-force if it became urgently necessary to dock the Ostia without TGWU co-operation in order to sustain Ravenscraig. It would be important, however, in any public statements to avoid any implication that the Government guaranteed an indefinite life for the plant.

e. It appeared that arrangements for the television debate on 22 August between the NUM and NCB on the numbers of miners at work were unorthodox and might unduly favour Mr Scargill. The NCB might be well advised to seek to insist on similar studio presentation for both the NUM

and NCB cases. As the arrangements currently stood, the NCB would be justified at least in insisting on a presence by working miners on the programme to balance Mr Scargill's supporters; and on seeking to broaden the discussion to questions such as violent mass picketing, arson, intimidation and other criminal conduct by or on behalf of the strikers. It would be most important also to ensure well in advance that nothing in arrangements for presenting the NUM end of the programme could lead to potential embarrassment for the police.

THE LORD PRESIDENT OF THE COUNCIL, summing up the discussion, said that the Group noted that the first step being taken by BSC over the question of coal supplies via Hunterston was to renew local discussions and to seek a local agreement which would allow coal to be brought in and supplied in sufficient quantity to the steelworks at Ravenscraig. This was consistent with the decision of the NDLB on the previous day to refer the question back to local NDLS machinery. It was likely that in local negotiations the TGWU would suggest quotas for the delivery of coal to Ravenscraig in quantities which they considered sufficient to maintain the plant. Agreement to such quotas would be undesirable, not only on principle, but also on practical grounds, given that the NUM and railway unions would also need to be parties to the arrangement; and that previous arrangements of the same kind had broken down. The Group accepted, however, that BSC might wish to accede to an agreement presented as a quota if by doing so they could secure adequate levels of supplies for Ravenscraig which they could not negotiate on other terms while saving the face of the TGWU. BSC would continue with local negotiations until either a favourable outcome was reached or it became urgently necessary for them to make the cargo of the Ostia available in order to prevent the need to close down coke ovens or furnaces at Ravenscraig. When that point was reached, the Group noted that BSC would bring in the ship, with or without TGWU tugmen and boatmen, and unload it in the normal way by using steelworkers to operate the grabs, while if necessary leaving undone the trimming work which was normally carried out by registered dock workers. They noted that BSC considered that a decision to dock the Ostia might be necessary as early as the following day. It was obviously necessary for BSC to consult at each stage with the Secretary of State for Trade and Industry, with their local workforce, with the port authorities, with the NCB and with others involved; and, so far as possible,

to maintain conformity with the letter of the local agreement of May 16. Public presentation of the BSC case, whose strength appeared to be much better appreciated so far in Scotland than elsewhere, would be most important. The Group strongly hoped that BSC would make urgent and strenuous efforts to establish their entitlement to unload the Ostia on the basis they had suggested to the NDLB, to correct mistaken press reports that the NDLB had ruled against the Corporation's proposals and to stress the serious risk of a major loss of jobs at Ravenscraig and more widely in Scotland if the plant did not receive adequate quantities of coal. The Secretaries of State for Scotland and Employment, and, where appropriate, the Secretary of State for Trade and Industry, should be prepared to be quoted giving public support to the BSC line where that was likely to be helpful; and should, where possible, identify and pursue other means of ensuring that events at Hunterston were reported in the media in a fully-informed and balanced manner.

The Group -

Took note, with approval, of the Lord President of the Council's summing up of their discussion.

Cabinet Office

22 August 1984