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MISC 101(84) 41st Meeting

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CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at
10 Downing Street on
TUESDAY 25 SEPTEMBER 1984 at 4.00 pm

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon Leon Brittan QC MP
Secretary of State for the
Home Department

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

The Rt Hon Peter Rees QC MP
Chief Secretary, Treasury

The Rt Hon Sir Michael Havers QC MP
Attorney General

Mr John Mackay MP
Parliamentary Under-Secretary
of State, Scottish Office

The Rt Hon Peter Walker MP
Secretary of State for Energy

The Rt Hon Tom King MP
Secretary of State for Employment

The Rt Hon David Young
Minister without Portfolio

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

Mr David Mitchell MP
Parliamentary Under-Secretary
of State, Department of Transport

SECRETARIAT

Mr P L Gregson
Brigadier J A J Budd

SUBJECT

INDUSTRIAL ACTION IN THE COAL INDUSTRY

INDUSTRIAL ACTION IN THE COAL INDUSTRY

The Group received a number of oral reports.

THE SECRETARY OF STATE FOR ENERGY said that 44 pits were working normally that day with one on holiday, 9 were turning some coal, 20 (3 more than the previous week) had some men in and 100 remained on strike. Attendances at pits continued to improve slowly, that day's attendance of 178 at Bilston Glen was 4 better than the previous highest attendance. The previous week's coal movements of 848,000 tonnes (of which over 600,000 tonnes had been delivered to power stations) was the best weekly achievement since March. 207 coal trains had been run and there was, as yet, no evidence of the action promised by the Transport unions to make the strike more effective.

Problems were likely to arise in the next few weeks in three areas: there would be some shortfall in supply of coal for industrial space heating; supplies of coal to schools, particularly in Yorkshire and South Wales, would be difficult unless the National Union of Mineworkers (NUM) agreed to release some pithead stocks; and complaints were likely to arise over the high price of imported coal for domestic use. All these were matters for which responsibility for any problems that actually arose could be laid in public comment, clearly on Mr Scargill. It seemed likely that the ballot currently being conducted amongst members of the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) would result in the necessary 66 per cent majority for strike action. In this event the negotiations due to start the following day between the National Coal Board (NCB) and NACODS would be very delicate and could be spread over several days. Despite the declared attitudes of some NACODS officials in favour of strike action it was thought possible that a majority of the union's executive would wish to avoid calling a strike if a reasonable agreement could be reached with the NCB about the circumstances in which NACODS members might be paid even if they declined to cross NUM picket lines. It would be inadvisable for Ministers to volunteer comments whilst the negotiations were in progress. If comment was unavoidable it would be best to say that the NCB had always been willing to negotiate with NACODS and it was to be hoped that the current negotiations would succeed in resolving outstanding difficulties.

Should NACODS call a strike the NCB would have a number of options available to keep in action those pits that were currently working. Some NACODS members might be willing to continue at work. The main difficulty could be to persuade suitably qualified working members of the NUM and members of the British Association of Colliery Management (BACM) to undertake safety work normally done by members of NACODS, without bringing out the working NACODS members or worsening the NUM strike.

He understood that the atmosphere at the previous evening's talks between the NCB and senior members of the Trades Union Congress (TUC) had been friendly and businesslike. The TUC appeared anxious to get NCB/NUM negotiations restarted but had no fresh ideas as to how this could be achieved. Although there was a feeling that the Advisory Conciliation and Arbitration Service (ACAS) might be able to assist, there had been agreement that a solution could be reached only in direct negotiations between the NCB and NUM.

THE HOME SECRETARY said that he had recently sent details of cases in which miners charged with offences on picket lines and elsewhere had been committed for trial to the Crown Courts to the Lord Chancellor, who would see what could be done to expedite trials. He had met the South Yorkshire Police Authority earlier in the day and had made it clear to them that proposals to phase out all horses and some dogs from the South Yorkshire force would result in a failure to carry out their statutory responsibility to maintain an efficient police force. He thought it likely that the proposals would not be pursued. He had also discussed the recent escalation of violence at Maltby with the Chief Constable of South Yorkshire and HM Chief Inspector of Constabulary. He had been assured that at present no additional resources were required by the South Yorkshire Police. Although it would be safe to presume that the mass picket at Maltby had been deliberately organised there was no evidence that would support criminal charges against individual organisers. It might be better to see whether civil proceedings, in connection with secondary picketing, could be brought against the NUM.

THE SECRETARY OF STATE FOR TRADE AND INDUSTRY said that none of the British Steel Corporation's major plants were facing problems over supplies of coal, coke or iron ore. Despite the union's decision to restrict coal supplies to Ravenscraig from Hunterston to 18,000 tonnes per week, 49,000 tonnes of coal had been moved by road the previous week.

During discussion the following were the main points made -

a. It was disappointing that the case brought in the Scottish Courts the previous day, to get the NUM strike declared illegal, had not succeeded but it appeared that the Court would be prepared to hear a second application at a later date. The case in progress in the High Court in London, involving two Yorkshire miners challenging the legality of the strike in relation to the NUM's own rules was not expected to end before Thursday of the current week. It remained to be seen whether Part 2 of the Trade Union Act 1984 - which became effective the following day, would make it easier than it had so far proved to be, to pursue legal action against unions.

b. Any strike called by NACODS in the event of their ballot producing the necessary 66 per cent majority would not forfeit immunity. In view of the delicate nature of NACODS/NCB negotiations it would be preferable for those negotiations to be completed before any action under the new legislation was instituted. It was thought likely that every new act of picketing which took place on or after 26 September could lay the responsible union open to action under the 1984 Act.

c. There would seem to be very little scope for ACAS to assist in finding a solution to the strike until Mr Scargill abandoned his stand against a closure of pits on economic grounds. Care would be needed to guard against raising public expectations of an ACAS success. The NCB would need to maintain its position of retaining the ultimate responsibility for deciding on pit closures rather than allowing this to pass to a third party.

d. It seemed that in some quarters, both inside and outside the coal industry, there was scepticism about the adequacy of both the consultation procedures prior to a decision to close a pit and the appeal procedure that might follow such a decision. Much of this might stem from ignorance of the procedures which had been used since 1973 and which the NCB were proposing should continue to be used. In order to dispel any doubts Ministers should, where appropriate, make use in their public statements of material in the NCB press statement on colliery closure procedures, issued on 1 August following the Parliamentary debate on 31 July [copy circulated on 25 September under cover of MISC 101(84) 5].

THE PRIME MINISTER, summing up the discussion, said that any action or comment likely to prejudice the success of the NCB/NACODS negotiations must be avoided. The Group would review the position again at its meeting on 27 September.

The Group -

Took note, with approval, of the Prime Minister's summing up of their discussion.

Cabinet Office

26 September 1984