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MISC 101(84) 43rd Meeting

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CABINET

MINISTERIAL GROUP ON COAL

MINUTES of a Meeting held at  
10 Downing Street on  
WEDNESDAY 3 OCTOBER 1984 at 10.00 am

PRESENT

The Rt Hon Margaret Thatcher MP  
Prime Minister

The Rt Hon Nigel Lawson MP  
Chancellor of the Exchequer

The Rt Hon Peter Walker MP  
Secretary of State for Energy

The Rt Hon Michael Heseltine MP  
Secretary of State for Defence

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 Nicholas Ridley MP  
Secretary of State for Transport

The Rt Hon David Young  
Minister without Portfolio

The Rt Hon Michael Havers QC MP  
Attorney General

Mr Giles Shaw MP  
Minister of State, Home Office

SECRETARIAT

Mr P L Gregson  
Brigadier J A J Budd  
Mr J F Stoker

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 pits working normally numbered 45, those turning some coal numbered 9, those with some men present numbered 22 and those strikebound numbered 98. Attendances in working areas were generally good. Many pits in Yorkshire now had small numbers of men in; picketing there was widespread.

Movements of coal the previous week had again been the greatest during the strike. Some 700,000 tonnes had been delivered to power stations, where stocks had risen (for the fourth week running) by 97,000 tonnes. Prospects for the present week were good for deliveries both by road (in spite of one slight local difficulty) and by rail. There was some threat, however, of a one-day strike at the British Rail (BR) depot at Shirebrook over alleged inconsistency in the treatment by BR of men who refused coal trains there and at other depots. Signalling staff due to take over shortly at Coalville were thought likely to take a more unhelpful line than present staff over coal traffic. The BR Board were considering these matters.

Attempts in the courts the previous week by two Yorkshire miners, Mr Taylor and Mr Foulstone, to have the strike declared unlawful had been successful. A writ alleging a subsequent contempt had been served on Mr Scargill: a further hearing in the High Court, which Mr Scargill had said he would not attend, would take place on the following day.

The National Coal Board (NCB), in discussion with the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS), had settled the dispute about procedures which had sparked off the Association's strike ballot. The Association, however, had now proposed to the NCB a procedure for independent arbitration over whether uneconomic pits should close. This was unacceptable because of the effect it would have on the ability of the NCB to manage the industry in accordance with their statutory obligations. It was similar to ideas raised recently by the Opposition spokesman on

energy and to an earlier proposal by the National Union of Mineworkers (NUM), which the NCB had emphatically rejected. NACODS had neither developed their proposal in detail nor secured the backing of the NUM or the British Association of Colliery Managers (BACM) for it: he understood that the Association would ask the Advisory, Conciliation and Arbitration Service (ACAS) at a meeting later that day to sound out the other unions in the industry. ACAS would be in contact by telephone with the NCB before their meeting with NACODS; and it was possible that the Service might meet the NUM on the following day. The NCB, wisely, had dealt sensitively with the NACODS proposal and not rejected it immediately. In talks with NACODS, the Deputy Chairman of the NCB had asked them to expand on their proposals, had explained the restrictions on the ability of the Board to give up the right ultimately to decide on closures and had said that he would report to the full NCB Board on 5 October. NACODS were threatening a strike from 8 October if they were not satisfied with developments at the NCB Board meeting.

THE ATTORNEY GENERAL said that the action which the High Court might take on the following day was, for obvious reasons, not predictable with certainty. He thought it unlikely that Mr Scargill would be committed to prison; and likely that he would be allowed a further opportunity either to attend or be represented. The outcome if Mr Scargill was found to be in contempt was likely to be a large fine, possibly followed by sequestration of NUM assets if the contempt were not purged.

The Transport and General Workers' Union (TGWU) was reported to be seeking to table at the Labour Party Conference a motion backing the intention of Mr Scargill to defy the courts. If that were to happen, it could lead to action by the courts with implications applying much more widely than to the NUM alone.

THE MINISTER OF STATE, HOME OFFICE said that it had been reported that, on the previous day, the Yorkshire miner Mr Taylor and his family had been forced off the road in their car by a car containing five men; and that they had then been seriously threatened. It was alleged that the driver of the second car had been the Secretary of the Manton Colliery branch of the NUM; he and a second man were now in custody. The incident might give rise to serious criminal charges which would attract wide publicity.

Arrangements had now been made to appoint further stipendiary magistrates in a number of areas where there was a backlog of cases arising from the dispute. He hoped that the helpful effects of these appointments would be felt from the middle of October.

In discussion, the following were the main points made -

a. It was not clear what the response of NACODS members would be if a strike were called. The leadership had made it clear in the campaign before the ballot that they intended not to call a strike, but to use a vote for one as a bargaining counter with the NCB. The pay and procedural dispute which had led to the ballot had been resolved. There was a clear risk, however, that a strike call might be effective.

b. The NCB's dealings with NACODS later in the week would call for careful handling. It was obvious that the Board could make no concessions of substance on the question of independent arbitration over closures. It was important, however, that they should adopt a reasonable position which might lead NACODS to refrain from calling a strike and increase the chances that NACODS members would continue to work if a strike was called. One possible approach might be to try to place the onus on NACODS, (rather than, as the Association hoped to do, on ACAS) further to clarify the position of the other unions in the industry in relation to the arbitration proposals. In the meantime, it was important to try to prevent expectations on the part of NACODS and certain of their supporters in the trade union movement of a major breakthrough by the end of the week from gaining strength.

c. Mr Scargill, following the support he had received at the Trades Union Congress and Labour Party Conference, was clearly in no mood to settle the dispute. The NCB might consider it tactically appropriate at some point (though probably not at present) to offer to give loss-making pits to worker co-operatives, perhaps with a capital grant based on commuting the redundancy entitlements of the workers concerned. The possibility of "mothballing" rather than closing some pits where there were reserves which could not be worked profitably at

present might also be worth considering. Given the present, poor prospects for an early settlement, however, there was clearly no advantage to the NCB in offering any concession which might later be helpful in clinching a settlement when prospects improved.

THE PRIME MINISTER, summing up the discussion, said that the dispute had reached a very sensitive stage with recent developments in the Courts and the prospect of crucial talks later in the week between the NCB and NACODS. There would probably be no need for strong public statements from Ministers following the outcome of the case against Mr Scargill for contempt, but they should take opportunities which might present themselves to try to ensure that the issues were reported in the media in a balanced and accurate way. In particular, it was important that it should be generally understood that the case against Mr Scargill had been brought, not by the NCB or the Government, but by members of the Yorkshire NUM itself; and that it depended, not on trade union legislation introduced by the present Government, but on long-established legislation designed to protect members of corporate bodies of all kinds against abuse. In negotiations with NACODS, the aim of the NCB would continue to be to avoid a strike without conceding the principle of independent arbitration over closures, which, as the Board had earlier indicated in talks with the NUM, was unacceptable. It would be necessary to discuss further the line which the NCB would be taking in the negotiations with NACODS. Cabinet on the following day would discuss any further developments in the dispute.

The Group -

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

Cabinet Office

3 October 1984