

ATTACHMENT 3

Mr M Wrack
General Secretary
The Fire Brigades Union
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Your ref:

Our ref: AJMc/CFO/SW

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Date: 11th August 2006

Dear Mr Wrack

Re: FBU compliance with TUC guidelines

I wrote to you last week with regard to the above guidelines. Let me start by reminding you of the guidelines. The TUC adopted a Code on the Conduct of Industrial Disputes in 1979. In paragraph 6, entitled 'The Provision of Emergency or Essential Services and Maintenance of Plant and Equipment', it states:

"..... the General Council advise that for the duration of an industrial dispute, the union (unions) involved should, where necessary, make arrangements in advance and with due notice, in consultation and preferably by agreement with the employer, for the maintenance by their members of supplies and services essential to the health or safety of the community or otherwise required, to avoid causing exceptional hardship or serious pollution".

These guidelines are followed by other trade unions, the most recent example in Merseyside being when Unison exempted a number of their members from taking industrial action, to maintain services to our fire appliances, and keep fire engines available.

I am therefore asking for some specific exemptions from the FBU. The purpose of this request is to maintain services which are essential to the health and safety of the community and to avoid causing exceptional hardship. I request you exempt your members at the following fire stations from taking part in industrial action:

- Southport
- Upton
- Birkenhead

Southport

Southport fire station is at the extremity of our border. It is unique in Merseyside, in terms of our deployment of three fire engines at Southport. No other fire station in Merseyside has three fire appliances and to the best of our knowledge no other fire station in the country has three fire engines, although we have not undertaken extensive research into this matter. In the consultation process the Authority undertook on whether to keep a third appliance at Southport, the FBU strongly advocated the need for three fire engines, reinforcing the somewhat isolated nature of Southport as the reason for three fire engines.

The Authority has demonstrated its commitment to the safety of the Southport community by continuing to provide three fire engines and we now call on the FBU to demonstrate its commitment to the safety of the Southport community, by exempting Southport FBU members from taking part in any strike action that may occur.

Upton

The second fire station of concern is Upton on the Wirral. This fire station is located virtually in the centre of the Wirral peninsula and gives excellent fire cover to the whole of the Wirral. We ask the FBU to give exemption from industrial action to its members at Upton in order that they may continue to provide strategic fire cover to the Wirral in case of industrial action.

Birkenhead

The third fire station of concern is Birkenhead. Birkenhead provides first response to the Tranmere oil terminal site and associated risk. We believe it is important to the economy of the region and to the safety of the surrounding community that we maintain a high level of response to this risk, and we therefore ask the FBU to exempt its members at Birkenhead fire station from industrial action.

Given the public interest in this matter a copy of this correspondence has been placed in the public domain. I have also copied this correspondence to the General Secretary of the TUC and I would welcome the involvement of the General Secretary of the TUC in assisting us in agreeing these exemptions in accordance with the TUC guidelines. I request a very urgent response to this letter in order that I can plan for the safety of the community of Merseyside in the knowledge of the resources that are available to the Authority, should there be industrial action.

Yours sincerely

A J McGuirk
Chief Fire Officer

cc: Mr. B. Barber, General Secretary, TUC
CFOA President, Mr. P. Toase
Mr. L. Skarratts, Brigade Secretary, FBU Merseyside