

Health and Safety Executive,
Redgrave Court,
Merton Road,
Bootle
L20 7HS

3-8 Whitehall Place
London
SW1A 2EG

Date: 20 October 2023

Ref: EN010116

Dear Sir,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by The North Lincolnshire Green Energy Park Limited (“the Applicant”) for an Order granting Development Consent for the proposed The North Lincolnshire Green Energy Park (“the Proposed Development”)

REQUEST FOR INFORMATION

Thank you for your recent correspondence about North Lincolnshire Green Energy Park, and in particular the recommended requirement for the North Lincolnshire Green Energy Park Limited (the Applicant), HSE, North Lincolnshire Council (NLC) and Jotun Paints to have a safety plan in place that facilitates the ongoing operation of Jotun Paints in a safe manner whilst construction of the Green Energy Park is undertaken.

HSE agrees that coordination between the Applicant, Jotun Paints and NLC, whether through a safety plan or other approach, is important, however, HSE does not consider that it has a role in the development, delivery, or review of a safety plan. HSE is the national regulator of workplace health and safety and notes that the fundamental principle of health and safety legislation is that those who create risks are best placed to control them. Designers, installers, and operators all have a duty to ensure this is the case.

HSE would expect that, if construction operations have the potential to impact on the operation of the existing COMAH site, the Applicant should liaise with the site operator (Jotun Paints) to address any issues and implement any necessary control measures, such that both the construction activities and the ongoing operations on the COMAH site can be carried out safely. HSE would also expect that if any additional control measures or other matters have the potential to impact on the COMAH sites emergency planning arrangements that the site operator should liaise with NLC and the relevant emergency services to provide any additional information and, if necessary, enable emergency planning arrangements to be reviewed. HSE notes that a draft Statement of Common Ground was included in the Examining Authority papers and HSE would encourage continued dialogue between the applicant and Jotun Paints to address any areas of concern.

I trust this is helpful to your considerations.

Yours sincerely,

Kate Haire
Head of Regulation, International and Major Hazards Policy