

**From:** [Dave.Adams2@hse.gov.uk](mailto:Dave.Adams2@hse.gov.uk) on behalf of [NSIP.Applications@hse.gov.uk](mailto:NSIP.Applications@hse.gov.uk)  
**To:** [silvertowntunnel](mailto:silvertowntunnel)  
**Cc:** [Jim.Neilson@hse.gov.uk](mailto:Jim.Neilson@hse.gov.uk); [Stuart.Reston@hse.gov.uk](mailto:Stuart.Reston@hse.gov.uk); [Dave.Painter@hse.gsi.gov.uk](mailto:Dave.Painter@hse.gsi.gov.uk); [Peter.Harper@hse.gsi.gov.uk](mailto:Peter.Harper@hse.gsi.gov.uk); [Karen.Fearon@hse.gov.uk](mailto:Karen.Fearon@hse.gov.uk); [Tony.Williams@hse.gov.uk](mailto:Tony.Williams@hse.gov.uk); [Gary.Lang@hse.gov.uk](mailto:Gary.Lang@hse.gov.uk); [Erol.Mertcan@governmentlegal.gov.uk](mailto:Erol.Mertcan@governmentlegal.gov.uk)  
**Subject:** NSIP - Proposed Silvertown Tunnel - Amendment to DCLG Guidance referenced in HSE Written Representation (SILV-354)  
**Date:** 21 December 2016 16:00:35  
**Attachments:** [image003.png](#)  
[f41 Planning Practice Guidance \(Hazardous Substances\) - Downloaded 15 December 2016.pdf](#)  
[NSIP - Proposed Silvertown Tunnel - Email to ExA \(DCLG PPG\) PDF Version.PDF](#)

---

Dear Examining Authority,

**Application by Transport for London (TfL) for an Order Granting Development Consent –  
Proposed Silvertown Tunnel  
Application Ref: TR0100021**

1. I write further to the submission made by the Health and Safety Executive (HSE) for Deadline 2 (14<sup>th</sup> December 2016) in which HSE advised the Examining Authority (ExA) of an amendment to the Hazardous Substances (HS) section of the Planning Practice Guidance (PPG) by the Department of Communities and Local Government (DCLG) on 9<sup>th</sup> December 2016.
2. In its Written Representation (REP1-080) HSE has referred to the HS section of the PPG and a copy of the PPG was provided as Appendix 4 to the Written Representation (REP1-084).
3. HSE has reviewed the implications on its Written Representation of the amendments made to the PPG by DCLG on 9<sup>th</sup> December. The amendments and additional material added to the PPG do not significantly affect the representations made by HSE.
4. However, I wish to draw to your attention the following changes to the PPG:
  - a. The Planning Practice Guidance (PPG) now makes references to the COMAH Competent Authority. The COMAH Competent Authority is described at paragraph 79 of the PPG as being the Health and Safety Executive and Environment Agency acting jointly. For the purposes of public safety it is the Health and Safety Executive that deals with these matters.
  - b. Paragraphs 68 and 74 of the PPG, to which HSE refers in its Written Representation, have been amended and additional information added. Whilst the amendments do not change HSE's Written Representation, the additional information added to these paragraphs may further aid understanding of HSE's role and the basis of its advice.
  - c. The amended PPG has added further information relating to continuation of hazardous substances consent following change to control of the land. In Section 6 of the PPG, the new paragraph 84 supports paragraph 6.9 of HSE's Written Representation (REP1-080).
5. Enclosed with this letter is a copy of the current HS section of the PPG, which replaces Appendix 4 to the Written Representation submitted for Deadline 1 on 15<sup>th</sup> November 2016. This copy of the HS Section of the PPG was downloaded from the planning guidance website on 15<sup>th</sup> December 2016. The downloaded version of the PPG does not explicitly include paragraph numbers. Please visit the planning guidance website at the following link for the most up to date version of the PPG complete with the paragraph numbers referenced: <http://planningguidance.communities.gov.uk/blog/guidance/hazardous-substances/>
6. HSE has been advised by DCLG that further presentational changes to the PPG may be required. These changes are unlikely to be made before the end of December and, therefore, this submission is made in order to give the ExA sufficient time to consider the material before the January hearings. HSE will advise the ExA if further changes are made to the HS section of the PPG which impact upon the Written Representation.
7. I have also sent this email as a PDF attachment, as your preferred means of communication

during the Examination.

8. Please do not hesitate to contact me, if you have questions on any of this.

Yours sincerely,

Dave Adams

**Dave.MHPD.Adams**

**CEMHD4 Policy, Chemicals, Explosives & Microbiological Hazards Division, Health and Safety Executive.**

**Desk 76, 2.2, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS**

**0151 951 3408 [dave.mhpd.adams@hse.gov.uk](mailto:dave.mhpd.adams@hse.gov.uk)**

**Please note that from 19/12/16 my phone number is changing to 0203 028 3408**



[2]

**HSE is engaging with stakeholders to shape a new strategy for occupational safety and health**

**in Great Britain [Find out more](#)<sup>[3]</sup> and join the conversation #HelpGBWorkWell**

**[www.hse.gov.uk](http://www.hse.gov.uk) | <http://hse.gov.uk/landuseplanning>**

\*\*\*\*\*

Please note : Incoming and outgoing email messages are routinely monitored for compliance with our policy on the use of electronic communications and may be automatically logged, monitored and / or recorded for lawful purposes by the GSI service provider.

Interested in Occupational Health and Safety information?

Please visit the HSE website at the following address to keep yourself up to date

[www.hse.gov.uk](http://www.hse.gov.uk)

\*\*\*\*\*