

From: Dave.Adams2@hse.gov.uk on behalf of NSIP.Applications@hse.gov.uk
To: [M42 Junction 6](#)
Cc: M42Junction6@highwaysengland.co.uk
Subject: NSIP - M42 Junction 6 Improvement - ExA Questions and request for SOCG
Date: 21 June 2019 13:42:38

HSE Reference: 20022312

cc: Highways England

Dear Examining Authority,

This response is with regard to the Application by Highways England for an Order Granting Development Consent for the M42 Junction 6 Improvement (TR010027) and specifically the requests by the Examining Authority for two Statements of Common Ground (SoCG):

Requests for SoCG

The Applicant, Cadent Gas Limited and the Health and Safety Executive, to include:

- Measures to mitigate the effects of the scheme on transmission systems and equipment including:
- The Bickenhill AGI
- The safety of the measures proposed

The Applicant, the Esso Petroleum Company Limited and the Health and Safety Executive, to include:

- Measures to mitigate the effects of the scheme on transmission systems and equipment
- The safety of the measures proposed

HSE Response

HSE is waiting on further information from Highways England which will clarify if we have sufficient information for a position statement, instead of the need for a SoCG.

With regard to the Examining Authority's specific points, the applicant will need to ensure they are complying with all the relevant health and safety legislation as and when it applies. HSE does not have a role in examining risk or hazard assessments or commenting on the suitability of proposed measures unless the circumstances are covered by specific regulations (e.g. the on-shore chemicals sectors where threshold levels of dangerous substances are exceeded). Unless specific regulations, such as Control of Major Accident Hazards (COMAH) or Pipelines Safety Regulations (PSR) apply, consideration of risk assessment and mitigation measures should be discharged under a management of Health and Safety at Work Regulations requirement to prepare a suitable and sufficient risk assessment (<http://www.hse.gov.uk/risk/index.htm>) for proposed activities, identifying hazards and taking appropriate measures to manage and control the risks. There are no additional requirements for such assessments to be considered by HSE. However, it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and construction will meet the requirements of relevant health and safety legislation as the design of the proposed development progresses.

Kind regards,

Dave Adams

Dave.MHPD.Adams

Major Hazards Policy – Chemicals & Land Use Planning | Chemicals, Explosives & Microbiological Hazards Division | Health and Safety Executive.

Please note that on 24/9/18 I moved to 1.2 Redgrave Court.

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