

## **Health and Safety Executive response to Mr Tyldesley's supplementary statement 2**

"It would seem that Mr Tyldesley, whose involvement related to the period in 1988/89 and who was not involved in ICL after that has chosen to comment on the availability of particular guidance after HS(G) 34 was withdrawn.

HS(G) 34 was rescinded/withdrawn 4 December 1998 in writing by Operational Minute 1998/114. That OM is to be found within Phil Papard's report at pages ICL 09238 - 009240. Paragraph 15 of that OM states that "copies of the new Codes of Practice will be issued to RSGs/SSGs (see undernote), CHID Inspectors, file 286 and 1 additional set for each main office." In Scotland the main offices at that time were Glasgow, Edinburgh, Aberdeen and Inverness.

In paragraph 6 of his statement Mr Tyldesley states that he considers it was clear that "HSE management had little interest in enforcing anything to do with LPG". In fact the EMM (1998/99) and EPS (1995) were both available. Both of those documents show that HSE had a clear enforcement policy and procedure by the time HS(G) 34 was withdrawn.

Mr Tyldesley's assertions therefore have no foundation in fact."