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04 November 2024

Dear Richard,

Thank you for your letter of 28 October 2024 about the gas explosion in Cleat Hill and the fatalities which have resulted from it. My sympathies go out to their families.

On the investigation at Cleat Hill, Bedfordshire Police has primacy (lead) under the Work-Related Death Protocol, which sets the principles for effective liaison during criminal investigations of work-related deaths, and the Home Office has responsibility for policing and police forces in England. It would not be appropriate for government to comment on an active investigation.

I can, however, provide some information on the Health and Safety Executive's (HSE) role in this incident and such situations more broadly and offer the opportunity for further engagement with officials.

HSE contributed to the multi-agency response led by Bedfordshire Fire and Rescue Service which was stood up on 2 July 2024 following the initial leak. HSE continued to provide technical advice to the drillers as they sought to manage sealing the borehole and the safe venting of methane.

Since 19 October, HSE has participated in the Bedfordshire Police-led multi-agency response, including participation in the two public meetings held in Cleat Hill. In addition to contributing technical advice, HSE will be pursuing its own investigation to determine whether any health and safety legislation has been breached.

Turning to your questions in your letter, there are no HSE regulations specific to the drilling of an onshore (on land) borehole for the purposes of exploiting geothermal resources. Borehole drilling taking place within a defined mining area must be notified to HSE in advance of drilling taking place under requirements of the Borehole Sites and Operations Regulations 1995 (BSOR) but, outside of those areas, there is no requirement on operators to make HSE aware of when or where drilling takes place.

Onshore boreholes are subject to the requirements of the Health and Safety at Work etc Act 1974 (HSWA), which places a fundamental general duty on employers to ensure, so far as is reasonably practicable, the health, safety, and welfare at work of their employees, and of other people who may be affected by the work activity. Other regulations, including The Management of Health and Safety at Work Regulations 1999 which require suitable and sufficient risk assessments to be carried out, also apply.

HSE inspectors take a risk-based approach to regulating the drilling of boreholes for geothermal exploitation. The existing regulations, standards, and guidance for onshore drilling are relevant good practice through which those involved in drilling activity can demonstrate compliance with HSWA. HSE inspectors encourage operators to use BSOR and The Offshore Installations and Wells (Design and Construction, etc) Regulations 1996 (DCR) as the basis for their approach to managing and controlling the risks associated with the drilling of boreholes.

HSE has engaged widely with drilling companies, planners, and local authorities involved in geothermal projects to raise awareness of the risks and their legal obligations.

In health and safety law, the duty to manage work-related hazards is on the person responsible for the work activity, the dutyholder. HSE can provide technical advice in situations where it has relevant specialist expertise as in this situation, but it is not HSE's remit to determine what measures may be required nor to oversee their implementation.

HSE inspectors have extensive powers under HSWA to carry out inspections, investigate accidents and fatalities, and to carry out enforcement action where health and safety legislation has been breached. This includes Improvement Notices requiring a dutyholder to take action to remedy a contravention of health and safety legislation,

and Prohibition Notices which are served when an inspector is of the opinion that a work activity gives rise to a risk of serious personal injury and requires the activity to be stopped until suitable remedial action has been taken.

I understand you have already been engaging with Paul Bradley from HSE's Energy Division at the public meetings in Cleat Hill and it would be most appropriate for you to continue to engage with him on HSE's on-site response. However, HSE officials are willing to meet with you to discuss any broader concerns you may have. If so, please contact Rachel McCann at [rachel.mccann@hse.gov.uk](mailto:rachel.mccann@hse.gov.uk) to arrange a meeting.

With all best wishes,

A handwritten signature in black ink, reading "Stephen Timms". The signature is written in a cursive style with a horizontal line above the name.

**Rt Hon Sir Stephen Timms MP**  
**Minister of State for Social Security and Disability**