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Date 15th July 2025

Reply sent by email to: [REDACTED]

Dear Mr Golombeck

Inquest into the death of Afolabi Oluwafemi OJERINDE (Deceased) – Regulation 28 report

Health and Safety at Work etc. Act 1974

Your letter of 25th April 2025 to the Secretary of State for Work and Pensions enclosing your Regulation 28 report (dated 3rd February 2025) has been passed to me for reply.

I work in the Health and Safety Executive's (HSE) Engagement and Policy Division which has the policy lead in relation to these regulations and the interface with Petroleum Enforcement Authorities (PEAs) via the Petroleum Enforcement Liaison Group (PELG).

I note your report was sent to a number of bodies with an interest in this issue. This response will address matters that are within HSE's areas of responsibility as the policy lead for the Regulations, and highlight where matters are more appropriately addressed by other organisations. My comments are based on my discussions with stakeholders and sight of relevant documents, together with my experience as a health and safety professional.

I would make the following observations –

Legal framework

- The specific legislation governing the operation of petrol stations in Great Britain is the Petroleum Consolidation Regulations 2014. The key point to note here is that whilst HSE has the policy ownership for PCR, HSE is not the enforcing authority and PCR identifies PEAs in the Regulations which is consolidate in our enforcing authority guidance: [Appendix 1: Health and Safety \(Enforcing Authority\) Regulations 1998: A-Z guide to allocation](#).

- Other relevant legislation includes the Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) which the PEAs enforce, the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 which local authorities enforce.
- Suicides in the workplace are not reportable under RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013). The regulations only require the duty holder / person in control of a workplace to report a death from a workplace accident (See [Suicide prevention - HSE.](#))
- Health and safety law is goal setting rather than prescriptive i.e. it sets out the standards that are to be achieved, not how this is to be done. Regulations may be supported by Approved Codes of Practice (ACOP) and / or sector or industry specific guidance. A common requirement is for duty holders to assess the risks created by their undertaking. In the case of PCR, the detailed industry guidance is contained in -
 - *'Petrol filling stations - guidance on managing the risks of fire and explosion'* (the Red Guide), published by the Energy Institute. Sections 5, 6.4 and 7.3 address risk assessment and section 8 includes guidance on unattended self-service and unmanned sites; and
 - *'Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations'* (the Blue Book produced by the Association for Petroleum and Explosives Administration - APEA)

Matters of concern

You raise concerns about the safety of unmanned petrol stations and whether they ensure compliance with Regulation 12 of the Petroleum (Consolidation) Regulations 2014. i.e. those dispensing petrol are over the age of 16, and that petrol is dispensed only into a motor vehicle, motor boat or a suitable portable container.

Whilst this is undoubtedly a tragic incident, a person taking their life in this way is a rare event. It is also very difficult to control against – provided a person is over 16 and dispenses petrol into an approved container, there is nothing to stop them buying the petrol and then subsequently using it to set themselves on fire in the same way as Mr Ojerinde.

The policy intent of the Petroleum Consolidations Regulations is to ensure that both manned and unmanned petrol stations are equally safe for use by members of the public. Operators must assess the risks and put in place suitable and sufficient measures to ensure risks are adequately controlled and there is significant guidance, as detailed above, to assist the operators in this respect. As stated above, there is no obligation to consider suicide risks in their assessment or control measures.

However, as with all risk assessments, these must be reviewed periodically, particularly after an incident to make sure they reflect the physical workplace and current systems and working practices. Where deficiencies are identified they should be rectified or mitigated as appropriate. I understand that Tesco and the Energy Institute on behalf of PELG have carried out detailed reviews of their systems and guidance which they believe now address the

issues raised by this incident.

Greater Manchester Fire & Rescue Service can advise further on the specific changes made.

Yours sincerely

A black rectangular box used to redact a signature.

HM Principal Inspector of Health and Safety