



**Licensing and Safety  
Sub - Committee  
23 May 2025  
Council Chamber**

Item

**Public**

## EXPLOSIVES REGULATIONS 2014 - APPLICATION FOR LOCAL AUTHORITY ASSENT

<b>Responsible Officer:</b>	Jessica Moores – Public Protection Officer (Professional)		
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<b>Cabinet Member</b> (Portfolio Holder):	TBC		

### 1. Summary

In accordance with the Explosives Regulations 2014 (ER2014), Regulation 14, a public hearing is required to determine an application for local authority assent to an application made by Mosaic Laboratories Ltd to the Health and Safety Executive (HSE) for a licence to manufacture and/or store explosives at:

Ditton Priors Trading Estate  
Station Road  
Ditton Priors  
Bridgnorth  
WV16 6SS

The application for assent, received by the Licensing Authority on 27 January 2025, has been accepted as valid and during the statutory consultation period relevant representations were received. The representations have been reviewed, and it has been determined that there are matters raised which are relevant to health and safety and are not frivolous or immaterial. In accordance with the ER2014, Regulation 14, the local authority must therefore hold a public hearing before deciding whether to assent to the application.

### 2. Recommendations

That the Sub Committee considers the application and representations made against it in accordance with the ER2014, Regulation 14 and determines whether to assent to the application.

## Report

### 3. Risk Assessment and Opportunities Appraisal

The Committee is required to consider the consequences of refusal or approval on the applicant's human rights.

## 4. Financial Implications

None

## 5. Climate Change Appraisal

No effect

## 6. Purpose of report

To consider an application for assent to an application made to the Health and Safety Executive (HSE) for a licence to manufacture and/or store explosives.

## 7. Background

- 7.1 The Explosives Regulations 2014 apply to a variety of explosives operations, including manufacture, storage and sales and regulate the health and safety matters associated with them. Under the ER2014 authorisation is required for the majority of acquisition, keeping, transfer, storage and/or manufacture of explosives.
- 7.2 Authorisations are primarily in the form of either licences or certificates, dependent on the operation, and the licensing/authorising body can be local authorities, the police, HSE or the Office for Nuclear Regulation. Which of the bodies is responsible for issuing a licence/certificate depends on whether the activity is the manufacture or storage of explosives and the proposed type and quantity of explosives.
- 7.3 Mosaic Laboratories Ltd wish to carry out the manufacture of explosive substances and explosive articles at a premises on a trading estate in Ditton Priors (location map provided at **Appendix A**), the quantity and type of which require their application for a licence to be made to HSE. This application was duly made and HSE have carried out their licence process, culminating in the issue of a draft licence and conditions. The ER2014, Regulation 14 then requires local authority assent to the draft licence before it is issued.
- 7.4 The purpose of the local authority assent procedure is for the local authority to satisfy itself that any local factors bearing on the safety of the operation of the site or the health and safety of members of the public have been considered and taken into account by HSE in setting the draft licence conditions.
- 7.5 Matters not relevant to the safety of the site and health and safety of members of the public cannot be considered by the local authority in making the decision whether to assent to the application.
- 7.6 The local authority assent procedure requires the applicant to provide to the local authority a copy of the application and draft licence (**Appendix B**). Within 28 days of doing this they must also place a notice in a newspaper (**Appendix C**) circulating locally to the application site giving details of the application and inviting representations on

matters affecting the health and safety of the public to be made to the local authority within 28 days of the notice being published. The notice must also give an address within the local authority area where the application and draft licence may be inspected. The applicant must also take reasonable steps to provide the information in the public notice to every person who resides or carries on a business within the public consultation zone (**Appendix D**). The consultation zone is an area extending to twice the proposed separation distance of the proposed site, the consultation zone for this application can be found at **Appendix E**.

- 7.7 The applicant satisfactorily carried out the requirements of the assent procedure.
- 7.8 During the 28 day consultation period 18 representations were made against the application for assent. As required by the ER2014 the representations were forwarded to the applicant, who responded with further details and information. The applicant was also present when the application and draft licence were made available for inspection at Ditton Priors Village Hall.
- 7.9 None of the representations made have been withdrawn, a public hearing is therefore required before determining whether to assent to the application. Shropshire Council's scheme of delegation requires applications for assent which have representations made against them and not withdrawn to be determined by the Licensing and Safety Sub Committee.

## 8. Representations received

- 8.1 The 18 representations received are from residents and business owners in the vicinity of the application site.
- 8.2 Primarily the representations are concerned with:
- the proximity of the site to residential and business premises and schools
  - the safety of transporting materials used and produced in the operation of the site to and from it
  - the nature and use of the products proposed to be manufactured on the site and whether this poses a security safety risk
  - the potential toxicity of the materials used on the site and the impact this could have on local residents
- 8.3 The full representations are at **Appendix F**.

## 9. Options for Consideration

- 9.1 The Committee must determine the application in accordance with the ER2014, Regulation 14.
- 9.2 Only factors bearing on the safety of the operation of the site or the health and safety of members of the public may be taken into consideration when deciding whether to assent to the application.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Explosives Regulations 2014 -

<https://www.legislation.gov.uk/ukxi/2014/1638/contents>

Health and Safety Executive guidance on the local authority assent procedure -

<https://www.hse.gov.uk/explosives/licensing/local-authority-assent.htm>

**Local Member:** Cllr G. Hollyhead

**Appendices**

**Appendix A** – Application site location map

**Appendix B** – Application to manufacture/store explosives and HSE draft licence conditions

**Appendix C** – Applicant's newspaper notice

**Appendix D** – Applicant's local notice

**Appendix E** – Assent application public consultation zone

**Appendix F** – Representations