

Health and Safety Executive
Health and Safety at Work etc Act 1974
Explosives Regulations 2014 (as amended)

Application to the Health and Safety Executive for a Licence to Manufacture and/or Store Explosives

IMPORTANT: Before completing this form, please read the guidance notes on pages 9-12

- You should use this form if you want a licence to:
 - manufacture and store explosives;
 - manufacture and store Ammonium Nitrate Blasting Intermediate *and* other explosives
 - store more than 2000 kg of explosives;
 - store no more than 2000 kg of explosives where separation distances prescribed in Schedule 5 of the Explosives Regulations 2014 (ER2014) (as amended) **cannot** be met.
- If there is insufficient room to provide the information requested, please use the supplementary information sheet at Annex A to this form.
- Please note that it is an offence under Section 33(1)(k)(ii) of the Health and Safety at Work etc Act 1974 to provide false information. Incomplete or inaccurate information could result in a delay in the processing of your application.
- Please complete this form using either black ink or type.

Your data will be held in accordance with HSE's privacy policy which is available on the HSE website. A printed copy is available upon request.

Section 1 – The application is for: *[tick the box that applies]*

☐ Outline application *(see note 1)* ☒ Detailed application *(see note 2)*

How long do you (the applicant) want the licence to be granted for? *(see note 3)*

☐ 1 yr ☒ 5 yr ☐ Indefinite ☐ Co-terminal with explosives certificate *(if applicable)*

Other Period

Section 2 – Applicant details: *[if you are applying on behalf of a company or limited liability partnership (or, in Scotland only, a partnership), please provide the company/limited liability partnership/partnership name]*

Applicants Name	<input type="text" value="Mosaic laboratories Ltd"/>
Companies House <i>(if applicable)</i>	<input type="text" value="15234739"/>
Date and place of birth <i>[where applicant is an individual]</i>	<input type="text"/>
NI Number <i>[where applicant is an individual]</i>	<input type="text"/>

Address *[including postcode]* If the applicant is a company, this should be the registered office address. Please also provide the correspondence address, if different

53 High Street, Cleobury Mortimer, Kidderminster, England, DY14 8DQ

Daytime telephone number	07946 387576
Mobile number	07946 387576
Email	graeme.kirkpatrick@mosaic-labs.uk

Please provide the names, addresses and dates of birth of the directors of your company *(if applicable)*

Graeme Kirkpatrick   c/o 53 High Street Cleobury Mortimer Kidderminster Shropshire DY14 8DQ
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Please tick any box or boxes that apply

1. Have you (the applicant) had a previous licence or registration¹ refused or revoked?
(see note 5) ☐ Yes ☒ No
2. Have you (the applicant) been convicted of any offence under health and safety legislation *(see note 5)* ☐ Yes ☒ No
3. Have you (the applicant) been convicted of any other offences relating to the storage, sale, supply, importation or possession of fireworks and/or any other explosives?
(see note 5) ☐ Yes ☒ No
4. Have you (the applicant) been convicted of any offence under any other legislation including offences against the person, dishonesty offences and offences relating to the supply of controlled drugs? *(see note 5)* ☐ Yes ☒ No
5. Are you (the applicant) now, or have you ever been, disqualified from acting as a director? ☐ Yes ☒ No
6. Have any of the persons in significant control of the planned activities been disqualified from being a director? ☐ Yes ☒ No

If you have answered 'Yes' to any of questions 1 – 6 above, please give date(s) and details, including the licensing authority and court

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¹ See Regulation 11 of the Manufacture and Storage of Explosives Regulations 2005, SI 2005/1082

Section 3

Full address (including postcode) of the proposed explosives site

STATION ROAD, DITTON PRIORS, BRIDGNORTH, SHROPSHIRE WV16 6SS

Do you (the applicant) own the land on which the site will be located?

☐

Yes

☒

No

If 'No', please describe the arrangements in place that will allow you access to the site, including period and date of any lease or rental agreement. (see note 3)

Heads of Terms Agreement letter (attached) which specifies the following:

- Initial lease period (5 years) with option to extend.
- Extent of site perimeter (leased site)
- Further area of owned land beyond perimeter encompassing Class D distance over which the lessee (Mosaic) has control.
- Agreement that owner will not develop or sub-let any land within the Class D distance whilst the explosive licence is in place.

Is there an existing licence, granted by a licensing authority (other than HSE), for the proposed site or any part of it?

☐

Yes

☒

No

If 'Yes', please provide details of the licence and licensing authority.

Licence Number

Date of Expiry

Licensing Authority

Are there any relevant applications under Town and Country Planning legislation affecting the proposed site?

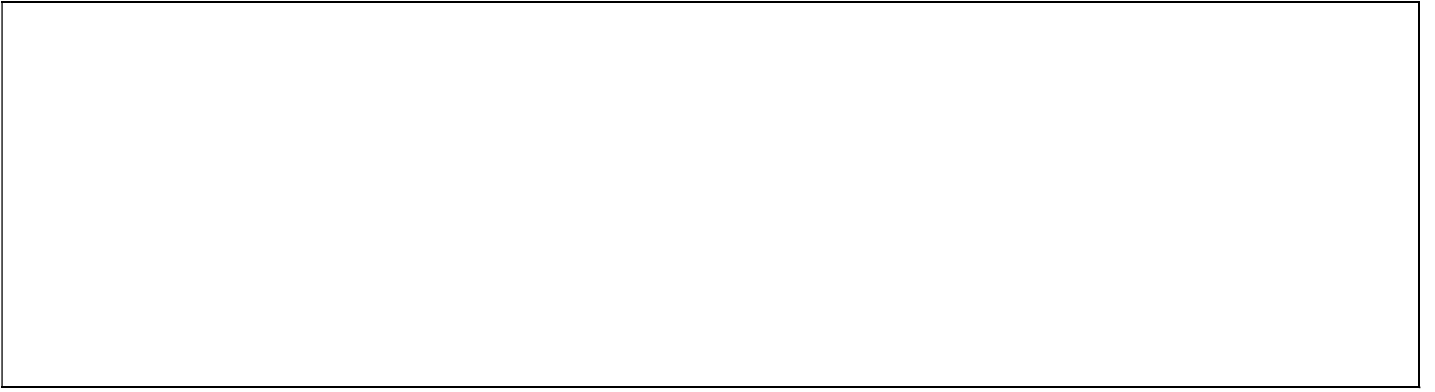
☐

Yes

☒

No

If 'Yes', please provide details



Section 4

Please give a brief description of why you want a licence, what activities you want to undertake and any other uses that you want to put the site to. If you are intending to also manufacture and/or store Ammonium Nitrate Blasting Intermediate (ANBI) please include in your description the approach to separation distances you want to be applied if the guidance at Appendix 2 to the [Manufacture and Storage of ANBI sub-sector guidance](#) is not to be followed.

You should also either:

- Include in your description, an analysis of the separation distance to each class of protected place from each place covered by the licence where explosives are expected to be present, and a statement of which approach or approaches to setting separation distances you wish HSE to consider applying;
- complete Section 5.2 to 5.5 below; or
- provide the same information to that requested in Section 5.2 to 5.5 in a different format, eg by providing a draft licence that is supported by a separation distance analysis that includes the same information required by Sections 5.2 to 5.5.

If the information required in table 5.3 Section 4 and Section 5 is not provided or is provided in a way that is not clear and straightforward to understand, then your application might take longer to assess and progress and might result in the application being returned to you for further work.

Mosaic wish to carry out manufacture of explosive substances (classical and novel HMX/RDX based castable PBX's, novel and conventional propellants) and explosive articles including but not limited to:

Shaped charge warheads
Research Rocket Motors
Pressed pellets

Section 5.2-5.5 has been completed, together with a draft licence, but in summary our application includes:

Seven (existing) brick built mounded buildings, two proprietary metal built mounded magazine (not yet existing), a burning hearth area, 4 metal framed mounded buildings (not existing, but to obviate the need for a variation when the business expands). The activities to be carried out include:

Control Rooms
Explosive laboratory (<100g HT1 permitted)
Explosive Mixing and Filling
Explosive Article Machining
Explosive Article Curing
Explosive Article Pressing
Explosive Article assembly and pack
Explosive substance and explosive article storage

Section 5

5.1 What explosives do you intend to manufacture, use in manufacture, and/or store?

If any of these explosives would require you to hold an explosives certificate, please enclose a copy of your explosives certificate with your application or identify below what steps you have taken to be issued with one.

Propellant and Polymer bonded explosives castable and pressable containing:

RDX, HMX, TATB Nitrocellulose, NTO, FOX, DINGU, Glycidyl Azide Polymer, Novel oxidisers and explosive fillers.

I (Graeme Kirkpatrick) have had a long conversation with the West Mercia ELO concerning the granting of the Acquire and Keep and the requirement for physical premises to inspect. His advice was that based on my background and experience and the experience of others within the company, there would be no issue in granting an explosives certificate, but to progress the site manufacture and storage application first, or in tandem to prevent nugatory work by West Mercia Firearms and Explosives licensing department to process an Acquire and Keep for which there is no effective premises.

Therefore I have an application for an Explosives Acquire and Keep certificate with West Mercia concurrent with this application.

5.2 For each building on site, please list what you want to use the building for, using the options below. You should use a separate line for each activity/use in each building. Please include a brief description of what the activity/use will involve, in the comments section. (If the explosives include pyrotechnics and you intend to offer them for sale to the public at the site, please include details under 'other'). (If there is insufficient room, please insert lines as required. If you are completing this form by hand, please continue on Annex A.)

Building Number	Activity/Use	Activity/Use number	Comments ¹
R0	Non-explosive use	2	Inert component machine shop. Inert Goods Inwards and store
R1(A-C)	Non-explosive use (describe)	4	Compartment R1-Control Room for the remote mixing, pressing and machining in Buildings R3 and R4. Comp. R1A- Meeting/Mess Room; Comp R1B- Inert chemical store. Comp. R1C –Toilet.
R2	Other explosive activity (describe)	1	Explosives Testing Laboratory (<100g HT1)
R3	Manufacture of Explosives	1	Manufacture of explosive substances – Synthesis of explosives, Explosive Binders (GAP), novel oxidisers, novel explosives, plasticisers (NENA)
R3	Manufacture of Explosives	2	Manufacture of explosive substances – Mixing of Explosives and propellants. PBX and Propellants
R3	Manufacture of Explosives	3	Manufacture of explosive articles by casting, pressing or additive manufacture. PBX and Propellants
R3	Other explosive activity	4	Sampling of explosives for testing. All explosives on the schedule
R3	Manufacture of Explosives	5	Manufacture of Explosive substances – milling of explosives. RDX, HMX
R4	Manufacture of Explosives	1	Manufacture of Explosive articles – machining explosives. PBX, propellants
R4	Other explosive activity	3	Oven drying of explosives. RDX, HMX, PBX moulding powders, novel oxidisers and explosives
R4	Other explosive activity	4	Sampling of explosives for testing. All explosives on the schedule
R5	Manufacture of Explosives	1	Manufacture of Explosive Articles – Curing of explosive articles. PBX, propellants
R6	Manufacture of Explosives.	1	Manufacture of Explosive Articles – Assembly of warheads. PBX shaped charges, fuzes, Assembly of rocket motors. Novel propellants
R6	Other explosive activity	3	Packing of explosive articles for storage / transport. Warheads, Pellets,
R7	Manufacture of Explosives	1	Manufacture of explosive articles – Assembly of warheads. PBX, shaped charges, fuzes, Assembly of Rocket motors. Novel propellants
R8	Other explosive activity	1	Oven Drying of explosives, HMX, RDX PBX
R8	Other explosive activity	2	NDT Inspection of explosives HMX,RDX, PBX
R9	Manufacture of Explosives	1	Manufacture of explosive articles. Isostatic pressing of explosives, PBX
R10	Manufacture of explosives	1	Manufacture of explosive articles Machining of explosives
R11	None explosive use		Control room for remote pressing and machining operations
A1	Storage of Explosives	1	Storage of explosive articles (Pellets, cast charges, rocket motors, fuses, detonators) and all explosive substances appearing on the explosive schedule
A2	Storage of Explosives	1	Storage of explosive articles (Pellets, machined charges,) and all conventional explosive substances appearing on the explosive schedule
B1	Other explosive activity	1	Disposal of explosive waste and waste contaminated with explosives by burning
B1	Other explosive activity	2	Static firing of rocket motors / ballistic test vehicles

¹ HSE is required by Regulation 20 of ER2014 to consider whether or not the places within a site are suitable for the manufacture or storage proposed for that place. In order for HSE to discharge that duty you should include in the comment field an outline description of the activity or use. This should follow the format: activity/use, description of activity or use, description of explosives eg Manufacture of Explosives – Fusing of fireworks; Manufacture of explosives – Manufacture of detonators; Non-explosives use – bulk storage of flammables; Non-explosives use – site office; Storage of explosives –all substances and articles appearing on the explosives schedule. Upper tier COMAH sites are subject to additional controls that can allow a licence to be drafted more flexibly however this information remains useful in progressing applications eg deciding if a site visit is necessary.

5.3 List the quantity of explosives you require for each activity/use and the closest protected places for each class. You should use a separate line for each activity/use in each building (see notes 6,7 & 8).
(If there is insufficient room, please insert lines as required. If you are completing this form by hand, please continue on Annex A)

Building Number	Activity/Use	Activity/Use number	Quantity of Hazard Type 1 explosives	Quantity of Hazard Type 2 >0.7kg/item explosives	Quantity of Hazard Type 2 <0.7kg/item explosives	Quantity of Hazard Type 3 explosives	Quantity of Hazard Type 4 explosives	Other Explosives (by description or UN number)	Closest protected places for each class ²								Class H	Comments
									Class A	Class B	Class C	Class D	Class E	Class F	Class G	Class		
R2	Other explosive activity (describe)	1	<100g	1kg	1kg	1kg	1kg	1kg	88	436	>1500	83	720	41	156	43		
R3	Manufacture of Explosives	1	10kg	N/A	N/A	10kg	10kg	10kg	135	461	>1500	123	770	90	117	43		
R3	Manufacture of Explosives	2	50kg	N/A	N/A	50kg	50kg	50kg	135	461	>1500	123	770	90	117	43		
R3	Manufacture of Explosives	3	50kg	50kg	50kg	50kg	50kg	50kg	135	461	>1500	123	770	90	117	43		
R3	Other explosive activity	4	50kg	50kg	50kg	50kg	50kg	50kg	135	461	>1500	123	770	90	117	43		
R3	Other explosive activity	5	50kg	50kg	50kg	50kg	50kg	50kg	135	461	>1500	123	770	90	117	43		
R4	Manufacture of Explosives	1	100kg	50kg	50kg	100kg	100kg	100kg	177	501	>1500	160	820	137	111	42		
R4	Other explosive activity	2	150kg	N/A	N/A	150kg	150kg	150kg	177	501	>1500	160	820	137	111	42		
R4	Other explosive activity	3	50kg	50kg	50kg	50kg	50kg	50kg	177	501	>1500	160	820	137	111	42		
R5	Manufacture of Explosives	1	350kg	50kg	350kg	350kg	350kg	350kg	206	557	>1500	185	852	173	145	42		
R6	Manufacture of Explosives	1	500kg	50kg	500kg	500kg	500kg	500kg	168	628	>1500	220	887	218	188	43		
R6	Manufacture of explosives	2	50kg	50kg	50kg	50kg	50kg	50kg	168	628	>1500	220	887	218	188	43		
R6	Other explosive activity	3	500kg	50kg	350kg	500kg	500kg	500kg	168	628	>1500	220	887	218	188	43		
R7	Manufacture of explosives	1	150kg	100kg	500kg	500kg	500kg	500kg	153	689	>1500	146	907	275	290	88		
R8	Manufacture of explosives	1	500kg	100kg	500kg	500kg	500kg	500kg	144	574	>1500	146	797	177	259	102		
A1	Storage of Explosives	1	2000kg	800kg	800kg	5000kg	5000kg	5000kg	113	444	>1500	248	863	207		112		
B1	Other explosive activity	1	10kg	10kg	10kg	10kg	10kg	10kg	141	369	>1500	142	721	95	138	69		
B1	Other explosive activity	2	0.5kg	N/A	N/A	0.5kg	0.5kg	0.5kg	141	369	>1500	142	721	95	138	69		

² If you plan and are able to take protected places out of use (including leaving buildings unoccupied when explosive activities take place) then these distances should be those to the nearest protected place of each place that is in use or is occupied when the activity is being undertaken. Protected places that are to be taken out of use and any buildings that are unoccupied should be detailed in the Comments column in accordance with the requirements of note 7.

5.4 What approach do you intend using for demonstrating an appropriate separation distance framework? (See note 9) (If there is insufficient room, please insert lines as required. If you are completing this form by hand, please continue on Annex A)

	Description of building ³	Separation distance Justification ⁴	Comments
R1(A-C)	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R2	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R3	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R4	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R5	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R6	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R7	Brick-built surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
R8	Steel-framed warehouse-type building having roof of lightweight sheeting and walls entirely of lightweight sheeting, mounded	Schedule 5 to ER2014	
R9	Steel-framed warehouse-type building having roof of lightweight sheeting and walls entirely of lightweight sheeting, mounded	Schedule 5 to ER2014	
R10	Steel-framed warehouse-type building having roof of lightweight sheeting and walls entirely of lightweight sheeting, mounded	Schedule 5 to ER2014	
R11	Other - non vulnerable	Schedule 5 to ER2014	
A1	Steel-built store, with or without detonator annex, surrounded by a mound of earth or other suitable material	Schedule 5 to ER2014	
A2	Steel-built store, without attached detonator annex (or attached detonator annex not used) mounded	Schedule 5 to ER2014	
B1	Other - not a built structure	Schedule 5 to ER2014	

³The descriptions for buildings and their construction type can be found at <http://www.hse.gov.uk/explosives/licensing/separation/building-type.htm>

⁴If you wish to extrapolate or interpolate quantity distance relationships from Schedule 5 to ER2014 or use the quantity distance relationships in Schedule 5 and either take places out of use or request HSE to apply discretion based on an appropriate justification then please add a relevant comment including where appropriate your justification or its reference and the method you want to be applied for extrapolation or interpolation of distances.

5.5. If you intend using 'another proprietary model' please provide details of the model you intend using, in the table below, including a description of why your application meets the requirement of that model. Note: You can reference any detailed reports here and append those reports to your application. (If there is insufficient room, please insert lines as required. If you are completing this form by hand, please continue on Annex A)

Model	Details

5.6 If you also intend to manufacture and/or store Ammonium Nitrate Blasting Intermediate(ANBI), please list the quantity of explosives you require for each activity/use. You should use a separate line for each activity/use in each building.

Building Number	Activity/Use	Activity/Use number	Quantity of ANBI	Building Construction Type	Type of other Dangerous Goods	Quantity of other Dangerous Goods	Distance closest place to Category 1*	Distance closest place to Category 2*	Distance closest place to Category 3*	Distance closest place to Category 4*	Distance to nearest ANBI store or manufacturing building	Distance to stores containing Ammonium Nitrate
	Choose an item.											
	Choose an item.											
	Choose an item.											
	Choose an item.											
	Choose an item.											
	Choose an item.											

* See Manufacture and Storage of Ammonium Nitrate Blasting Intermediate sub sector guidance <http://www.hse.gov.uk/explosives/e2014-manufacture-storage-ammonium-nitrate.pdf>

Section 6 – to be completed by the applicant

Signature of applicant

Signed

Scanned signature at Annex A

Name (*in capitals*)

GRAEME KIRKPATRICK

Position / Job Title

Director

The completed application form, together with the following documents in support of the application, should be sent to:

CEMHD7Explosives Inspectorate
Redgrave Court
Merton Road
Bootle
L20 7HS

Please tick the boxes below to confirm the following have been submitted.

- ☒ Draft Licence (*if applicable*) (*see note 10*)
- ☒ Site plans (*see note 11*)
- ☐ Application fee (*if applicable*) (*see note 12*)
- ☐ Explosives certificate (*if applicable*)

FOR HSE USE ONLY

- ☐ Application form completed
- ☐ Draft Licence enclosed
- ☐ Site Plans enclosed
- ☐ Application fee enclosed (*if applicable*)
- ☐ Explosives certificate (*if applicable*)

Guidance notes on completing this form

General Information

IMPORTANT: It is **your** responsibility to ensure you are aware of, and comply with, the Explosives Regulations 2014 (as amended).

HSE has the power to revoke a licence if it believes the site is no longer suitable, the licensee is no longer a suitable person and/or to change any quantities and types of explosives permitted, or where separation distances can no longer be met. It may also consider enforcement action (including prosecution) if you are not manufacturing and/or storing explosives safely or not complying with your licence conditions.

The information contained in this form may be stored. The information may, where appropriate, be shared with other relevant bodies such as other local licensing authorities or the Police, for example, for the purposes of checks undertaken with respect to Regulation 20 of ER2014 (as amended). You have the right to request a copy of any personal information and to have any inaccuracies corrected.

If there is insufficient room to provide the information requested, please use the supplementary information sheet at Annex A.

Insurance

Most employers are required by law to insure against liability for injury or disease to their employees arising out of their employment. The Employers' Liability (Compulsory Insurance) Act 1969 ensures that you have at least a minimum level of insurance cover against any such claims. For more information visit <http://www.hse.gov.uk/pubns/hse40.pdf>.

Public liability insurance is not required by health and safety law. However, if you are manufacturing or storing explosives (including fireworks) you may wish to take out public liability insurance. Many industry trade associations and professional bodies require this as a condition of membership. Professional display operators using category F4 fireworks, T2 theatrical pyrotechnics or P2 pyrotechnic articles are required by product safety law to have public liability insurance in place covering their use.

You should **only** use this form if you want a new licence to:

- manufacture explosives;
- manufacture Ammonium Nitrate Blasting Intermediate (ANBI) *and* other explosives
- store more than 2000kg of explosives;
- store Ammonium Nitrate Blasting Intermediate (ANBI) *and* other explosives
- store no more than 2000kg of explosives where separation distances in Regulation 27 and Schedule 5 of the Explosives Regulations 2014 (ER2014) (as amended) **cannot** be met.

Do not use this form if you are applying for:

- A variation to an existing licence granted by HSE. Applications for these types of licences should be submitted on form LP42. This form should also be used if you wish to vary an existing licence to manufacture and/or store ANBI *and* other explosives
- A licence to manufacture and/or store Ammonium Nitrate Blasting Intermediate (ANBI) *only*. Applications for these types of licences should be submitted on form LP46.
- A variation to an existing licence granted by HSE to manufacture and/or store Ammonium Nitrate Blasting Intermediate (ANBI) *only*. Application for these types of licences should be submitted on form LP47.
- A Licence to manufacture explosives by means of On-site Mixing. These types of licences should be submitted on LP48.
- A licence to store no more than 2000kg at a mine or in a harbour area where separation distances **can** be met. Applications for these types of licences should be submitted on form ER2 or ER1, depending on the explosives to be stored.
- A licence granted under the Dangerous Goods in Harbour Areas Regulations 2016 (DGHAR). Application for these types of licences should be submitted on form LP88. Information on explosives licensing in Ports can be found at <http://www.hse.gov.uk/explosives/licensing/licensing-explosives-in-ports.htm>.

Type of application

1. If you are submitting an 'outline' application you do not need to complete sections 5.2 – 5.5 of this form, however completing them may help HSE to progress your application more quickly. Before work starts on an 'outline' application HSE will consider whether or not the application can be progressed as presented. In doing this, they will take account of the availability of HSE resource in addition to the explosives technical matters that the application might present.

Where HSE agrees that an 'outline' application can be progressed, HSE will help you develop the outline application into a detailed 'draft' as part of the licensing process. HSE will normally agree to progress an outline application when the application is likely to require a complex technical or structural justification, the application of a separation distance model other than that appearing in Schedule 5 to ER2014 or will involve the development of a strategic national capability. HSE will expect you to have retained (and identified on your application form) competent advice before you consider following this approach. If it is not available in-house, competent advice on the drafting of licences can be obtained via a range of industry and professional bodies. The costs to HSE of the time that its inspectors spend helping you to develop your outline application into a detailed 'draft' will be recovered at the hourly rate for licensing.

HSE will help you to develop your detailed 'draft' so that you can identify whether or not your outline application is viable. They will do this by providing regulatory advice and challenge that will complement that of your internal licensing lead(s) or external consultant(s). HSE will not expect to apply its published timescales for the delivery of a licence until the detailed 'draft' has been completed.

2. If you are submitting a 'detailed' application, this would usually include the submission of a draft licence (see note 10), or detailed justification from which a draft licence can be produced. Where your justification relies on or is supported by technical, engineering or other reports copies of those reports should be provided, preferably in an electronic format.

Period of validity

3. Prior to 31st October 2019, HSE will normally have granted licences (other than fixed rule or site mixing licences) for an indefinite period of time. After 31st October 2019, HSE will normally grant a licence for an indefinite period of time when the applicant owns the property where the explosives site will be located, or where the applicant is a wholly-owned subsidiary of the land owner. Where the applicant does not own the land on which the explosives site will be located, HSE will normally grant the licence for the period of any lease or rental agreement for the land on which the site will be located. Where any of the explosives that will be stored would require the applicant to have an explosives certificate, HSE may grant the licence to be co-terminal with any such explosives certificate. However, ultimately it is for HSE to determine the length of period that any licence will be granted.

Granting licences without time limit is designed to minimise the burdens on both dutyholders and HSE from processing applications for renewals, but there are aspects of the approach that can present practical difficulties to both land owners, HSE and to the wider land use planning systems.

These can include for example:

- disputed access to the facility or use of the licence when a site is subject to a lease or a rental agreement;
- challenges with respect to ownerless property which can by law pass to the Crown; and
- 'blocking' planning and development around the site.

Disputed access to facilities or the use of the licence tends to occur when a tenant's lease runs out, but they remain the licensee for the site. Essentially the tenant refuses to transfer the licence to either the site's owner or to the new tenant because they see the licence as having monetary value and want to be compensated. This acts as an obstacle to the site's owner using the facility and in extreme cases can result in explosives being stored in a place to which the licensee no longer has lawful access.

Assent

4. Applications for a new licence to manufacture and store explosives, and new applications for a licence to store more than 2000kg of explosives will require local authority assent before the licence is granted. Information on the assent procedure can be found at <http://www.hse.gov.uk/explosives/licensing/local-authority-assent.htm>

Convictions

5. Please note: Any previous convictions you may have may be subject to the Rehabilitation of Offenders Act 1974 and you do not have to include convictions that are 'spent' on this application form. The Rehabilitation of Offenders Act does not apply to corporate bodies or companies. Where the application relates to a corporate body or company, convictions of all directors should be listed. Where the application relates in Scotland to a partnership, convictions of all partners should be listed. Information on how Licensing Authorities will consider the relevance of previous convictions, or refusals of licences or registrations, to an application for a licence can be found at www.hse.gov.uk/explosives/index.htm.

Hazard type and quantity

6. HSE will need to know the description, hazard type and quantity of the explosives you wish to manufacture, use in manufacture and/or store to determine whether your site or the places within it are suitable. The quantity you will be allowed to manufacture and/or store will depend on the properties of the explosives, and their hazard type. Guidance on assessing hazard types can be found in paragraphs 31-35 of the Explosives Regulations 2014 – Guidance on Regulations – Safety provisions (L150), <http://www.hse.gov.uk/pubns/priced/l150.pdf> (ISBN 9780717665518), and in relevant sub-sector guidance. Your supplier may also be able to help you if you are uncertain about the hazard types of the explosives you wish to store.

7. When completing table 5.3 for a building or other place where explosives are present, HSE recommends that you include one activity based on an application of ER2014 Schedule 5 distances that refers to each nearest protected place of each class. This will maximise the flexibility of the licence. If you plan to increase the quantity of explosives that can be present at a place by taking other buildings or protected places out of use or by preventing their occupation, please discount those protected places for the purposes of determining the closest protected place of each class and list each building or place that is to be taken out of use or unoccupied in the comments section following the format – protected places and/or buildings is to be taken out of use/unoccupied; building number or place identifier; class of protected place; distance from building or place where the explosives will be present (m) eg *'Protected places are to be taken out of use and remain unoccupied during this activity. Building 123 is to be unoccupied during this activity. It is a Class D building. It is 45m from the building where the explosives will be present. No explosives or people will be present in Building 234 during this activity. It is a Class G building and is 15m from the building where the explosives are present. No explosives or people will be present in Building 345 during this activity. It is a building that is used as a building of Class F, G & H. It is 22m from the building where the explosives will be present'*.

8. The 'quantity' refers to the '**net mass**' of the explosives. This means the weight of the explosive contained within an article ie less packaging, casings, etc. This is often stated as the NEQ.

Separation Distances

9. Please see Regulation 27 and Schedule 5 of the Explosives Regulation 2014, for the definitions of protected places that HSE will expect to apply. Further guidance is available at <http://www.hse.gov.uk/explosives/licensing/separation/index.htm>

Draft Licence

10. You can submit a draft licence with your application (*see note 2*). A draft licence comprises:

- (i) Explosives schedule – lists all the explosives which can be present at the site;
- (ii) Building schedule – identifies each building, its use, construction, and the nature and maximum quantities of explosives or where appropriate other dangerous material present; and
- (iii) Site plans (*see note 10*)

Submitting a 'draft' licence with your application will help HSE to understand how you intend to undertake and manage your explosives operations. This might significantly reduce the time it takes to progress your application and allow HSE to provide you with appropriate advice on how best to structure your licence. It is not compulsory to submit a 'draft' licence.

If you do submit a draft licence it will need to be supported by sufficient information to allow HSE to properly assess the application. This should be done by completing **all** this form **or** by providing the same information required by the form in an alternative format.

Site Plans

11. 2 working copy scaled plans should accompany both outline and detailed applications.

- (i) A plan to a scale in the range of 1:1250 to 1:2500 showing the location of the site/proposed site in relation to its surroundings (ie named or numbered roads, hamlets, villages or geographical features) for at least 1km in all directions.
- (ii) A plan showing the site layout, at a recognised scale¹ that allows the locations of and distances between buildings and facilities on site to be monitored and checked.

Once the final layout of the plans that will be appended to the licence have been agreed you will be expected to provide three copies of each. Plans provided electronically should print to scale on A3 paper. Plans requiring printing to a larger size should be provided in hard copy.

Please note: It is important that the whole area under the control of the applicant is clearly marked.

Fees

12. An initial application fee is charged. Payment of the initial application fee can either be by cheque which is to be submitted with the application, or HSE can raise an invoice following receipt of the application.

HSE's experience is that the final content of the licence will often be different to that which was initially applied for. These changes can arise because of:

- Changes to applicants' requirements,
- Requirement for a draft licence to be lawful
- Addition of conditions to ensure that residual risks remain tolerable

HSE will recover its costs for work undertaken by its Inspectors in progressing your application or in helping you develop your licence application into a lawful draft licence at the relevant hourly rate, as set down in the current Health and Safety (Fees) Regulations. Invoices for work done on the licence will be raised on a quarterly basis, with the final invoice being raised prior to the grant of the licence. HSE will not normally grant a licence until any outstanding fees have been paid.

Please contact HSE at explosives.licensing@hse.gov.uk if you have any questions about completing this form or about your application.

¹Recognised scales are generally taken to include 1:10, 1:20, 1:50, 1:100, 1:200, 1:500, 1:1000, 1:1250 and 1:2500. Plans with non-standard scales will not normally be acceptable. This is because they introduce significant potential for human error in ensuring the appropriate separation distances are met. Distance checking non-standard plans also takes longer than plans to a recognised standard when distance checking, meaning increased time and costs in the processing of the licence application. HSE's experience is that most sites can be clearly represented, and on-site separation distances readily checked on plans in the range 1:100 to 1:1250 with the site's boundaries at or about the margins of an A3 to A1 sized sheet. HSE needs to be able to accurately measure to 1m on the plan.

Annex A

Supplementary Information Sheet *(To be completed by the applicant, if required)*

