

DEVELOPMENTS IN THE VICINITY OF EXPLOSIVES FACTORIES AND MAGAZINES GUIDANCE
TO PLANNING AUTHORITIES ON THE NEED FOR CONSULTATION WITH HSE.

Explosives factories and magazines are licenced by HSE under section 4 of the Explosives Act 1875. In the licence, distances are stipulated that must be preserved between each building or place where explosives may be held and certain "protected works" outside the premises. These distances are not stipulated in the licence if they are not large enough to reach outside the premises. The nature of "protected works" is given in the headings to columns 2 and 3 of the attached, blank, Distance Schedule.

In order to simplify the process of identifying which developments should be consulted upon, only one distance is used for consultation purposes. This distance is to be taken as being measured from any point on the boundary of the premises. In order to reduce the number of unnecessary consultations the following types of development should be consulted upon in the distance bands stated.

- a) Band 3 (40-100% of consultation distance).
Large buildings of curtain wall or other lightweight, easily detachable construction, such as large sports centres, shopping centres etc.
- b) Band 2 (20-40% of consultation distance)
The "protected works" given in the heading to column 3 of attached Distance Schedule plus the developments stated for Band 3.
- c) Band 1 (0-20% of consultation distance)
The "protected works" given in the heading to column 2 of the attached Distance Schedule plus the developments stated for Bands 2 and 3

It should be borne in mind when deciding whether to consult that the aims of the Distance Schedule and the consultation procedure is to preserve the safety of persons and any development which does not bring persons nearer the explosives installation need not be consulted upon.

Some of the larger explosives factories keep site plans on which are marked the "protected works" distances corresponding to individual buildings. These plans are often referred to as safeguarding plans. They give more precise information than a single consultative distance, it is in the interests of both the planning authority and the licenced site that such plans are kept up to date and available to the planning authority.

A list of Explosives Factories and Magazines together with the corresponding consultation distances is held by the Area Executive at each area office of HMF1. Requests for advice on planning matters should be sent to the Area Executive.

The HSE does not issue particulars of types and quantities of explosives held at explosives installations as it does for premises subject of the Notification of Installations Handling Hazardous Substances Regulations 1982.

HA4

Licence No. 31/91

Rec'd from ABP
- Richard Jones
Ass Port Manager
12/3/94 File Ref: XI 4811/116/1

THE DANGEROUS SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

EXPLOSIVES LICENCE

1. The Health and Safety Executive hereby grants to

Associated British Ports

a Licence for the purposes of Part IX of the Dangerous Substances in Harbour Areas Regulations 1987, permitting explosives to be brought into and carried and handled within the harbour area known as

Alexandra Docks, Newport, Gwent

as defined in The Alexandra (Newport) Dock Act, 1865 and The Alexandra (Newport & South Wales) Docks and Railways Act, 1882.

2. The Licence is subject to the conditions in the Terms hereto.

3. In this Licence, including the Terms, the "Regulations" means the Dangerous Substances in Harbour Areas Regulations 1987, and words and expressions used in this Licence shall, unless the context otherwise requires, have the same meanings as in the Regulations.

4. This Licence revokes all previous Licences issued under the Regulations in respect of this place and shall remain in force until revoked by the Health and Safety Executive in writing.

Dated this

19 day of

June 1992

W. R. Jones

The holder of the post designated
H.M. Chief Inspector of Explosives,
a person authorised by the Health and
Safety Executive to act in that behalf.

TERMS OF LICENCE

1. Nothing in this Licence shall prohibit

- (a) the entry of explosives into; or
- (b) the handling of explosives at;

any other place within this harbour area at which explosives may be handled under the Regulations.

2. Nothing in this Licence shall prohibit the passage of a vessel carrying explosives through this harbour area where such passage is solely for the purpose of access to or egress from another place at which explosives may be handled under the Regulations.

3. Except as permitted by the above terms, the licensee shall not permit any person to bring into the harbour area any explosives of such a type or quantity that may not be handled under the provisions of this Licence.

4. A vessel containing explosives shall only be anchored or berthed at such places as are specified in the Schedule to this Licence.

5. Explosives shall only be handled at such places as are specified in the Schedule to this Licence.

6. In respect of a place so specified;

(a) the quantity of explosives present shall not exceed that specified (for the Division of explosives concerned) in column 1 of the Schedule, except that where the explosives include those in Compatibility Groups A, B or F the aggregate quantity present shall not exceed one third of the quantity so specified, unless the explosives in Compatibility Groups A, B or F

(i) are separated from any other explosives so as to prevent communication of explosion to those other explosives; and

(ii) do not exceed one third of the quantity so specified

(b) no handling of explosives shall take place while

(i) any person not involved in the explosives handling operation is present in any building within the distance specified (for the Division and quantity of explosives concerned) in column 2 of the schedule; or

(ii) any passenger vessel is berthed or anchored within the distance specified (for the Division and quantity of explosives concerned) in column 3 of the Schedule; or

(iii) any other vessel or vehicle containing an unrelated consignment of explosives, or any person not required to be involved with the handling operation, is within the distance specified (for the Division and quantity of explosives concerned) in column 4 of the Schedule;

(c) any Special Conditions in the Schedule shall be complied with.

7. Where the quantity of explosives present is not specified in column 1 of the relevant part of the Schedule, then for the purposes of ascertaining the distances referred to in the previous term, that quantity shall be rounded up, that is to say, the explosives shall be treated as being of a quantity equal to the next higher quantity specified in that column.

8. Where explosives in different Divisions are carried together then;

(a) for the purpose of applying the schedule, they shall all be deemed to be in the Division amongst them which comes highest in the following list, that is Division 1.1 (highest), 1.2, 1.3, and 1.5 (lowest);

(b) except that where explosives in Division 1.5 are carried or handled with explosives in Division 1.2 then, for the purpose of applying the schedule, they shall all be deemed to be in Division 1.1.

9. Distances referred to in the Schedule shall be measured between that part of the explosives and that part of the passenger vessel, other vessel or vehicle, or other place, as the case may be, which gives the smallest distance.

10. (a) As soon as practicable after the Licence has been granted, the licensee shall prepare and send to the Health and Safety Executive and to the local planning authority, a plan showing each place where explosives are allowed to be handled under this Licence.
- (b) There shall be delineated on the plan the area of land which is within the safeguarding distances from that place as specified in the relevant part of the Schedule.
- (c) The plan shall be prepared in accordance with the guidance issued by the Health and Safety Executive entitled "The Preparation of Safeguarding Plans".
- (d) Where the safeguarding distances are altered pursuant to a variation of the Licence, the licensee shall prepare and send a revised plan to the above mentioned bodies as soon as is practicable after that alteration.
11. (a) Where after this Licence has been granted there is any development, subsequent to the date of the survey on which the Licence was based, within the relevant safeguarding distances referred to above which is likely to materially affect either the probability of an accident with the explosives or the magnitude of the consequences of such an accident, the licensee shall, before the development is commenced or as soon as is practicable thereafter, give written notice of it to the Health and Safety Executive.
- (b) Without prejudice to the generality of part (a) of this term, any development within the safeguarding distances involving a material increase of the population or in the numbers of buildings shall be so notified.
12. Notwithstanding Regulation 9, Regulations 6 and 8 of the 1987 Regulations shall apply to ferry boats operating entirely within smooth or partially smooth waters within the meaning of the Merchant Shipping (Smooth and Partially Smooth Waters) Rules 1977.
13. In these Terms and in the Schedule -
- (a) reference to explosives is a reference to explosives that are not exempted from the licensing provisions of Part IX of the Regulations.
- (b) references to quantities of explosives are references to net explosives quantities, that is to say, excluding any packaging or inert parts of explosives.
- (c) "local planning authority" means
- (i) in England and Wales, the local planning authority within the meaning of the Town and Country Planning Act 1971,
- (ii) in Scotland the authority responsible for planning functions within the meaning of section 172 of the Local Government (Scotland) Act 1973;
- for the area within the safeguarding distances referred to above. Where the area is within the jurisdiction of more than one planning authority then the phrase shall mean them all.
- (d) "passenger vessel" means a vessel carrying more than twelve passengers;
- (e) a "passenger" is any person defined as such in the Merchant Shipping Act.
- (f) "normal working period" means any time from 0700 hrs on Monday until 1800 hrs on the following Friday, excluding Bank and Public Holidays, providing that the relevant conditions of Columns 2, 3 and 4 of the relevant Schedule are met.

SCHEDULE

Name of place (as shown on plan): South Quay 5

Safeguarding distances :

SD1 : 536 metres

SD2 : 805 metres

SD3 : 1610 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5	metres	metres	metres
500 500 3500 500	200	72	24
1000 1000 12000 1000	200	113	38
2500 2500 65000 2500	200	194	65
5000 13000 180000 5000	260	272	91
10000 50000 U/L 10000	340	356	119
25000 U/L U/L 25000	490	490	163
50000 U/L U/L 50000	590	619	206
75000 U/L U/L 75000	590	708	236
110000 U/L U/L 110000	750	805	268

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: Provided that in a normal working period (see Term 13(f)) no more explosives shall be handled than:-

- 3000 kg of Divisions 1.1 or 1.5
- or - 3800 kg of Division 1.2
- or - 85000 kg of Division 1.3

SCHEDULE

Name of place (as shown on plan): South Quay 6

Safeguarding distances :

SD1 : 327 metres

SD2 : 490 metres

SD3 : 980 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5	metres	metres	metres
500 500 3500 500	150	72	24
1000 1000 12000 1000	150	113	38
2000 2000 45000 2000	150	172	57
5000 13000 180000 5000	300	214	74
10000 50000 U/L 10000	300	356	119
25000 U/L U/L 25000	300	490	163

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: Provided that in a normal working period (see Term 13(f)) no more explosives shall be handled than:-

- 3000 kg of Divisions 1.1 or 1.5
- or - 3800 kg of Division 1.2
- or - 85000 kg of Division 1.3

AND that buildings within 170 metres are evacuated.

SCHEDULE

Name of place (as shown on plan): South Dock, North Side, Centre Berth

Safeguarding distances :

SD1 : 461 metres

SD2 : 692 metres

SD3 : 1384 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5	metres	metres	metres
500 500 3500 500	430	72	24
1000 1000 12000 1000	430	113	38
2000 2000 45000 2000	430	172	57
5000 13000 180000 5000	430	214	74
10000 50000 U/L 10000	430	356	119
20000 U/L U/L 20000	430	454	151
25000 U/L U/L 25000	480	490	163
50000 U/L U/L 50000	520	619	206
70000 U/L U/L 70000	520	692	231

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: Provided that in a normal working period (see Term 13(f)) no more explosives shall be handled than 25000 kg of Divisions 1.1 or 1.5 of Class 1 explosives.

SCHEDULE

Name of place (as shown on plan): South Dock, North Side, East Berth

Safeguarding distances :

SD1 : 412 metres

SD2 : 619 metres

SD3 : 1237 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5	metres	metres	metres
200 200 500 200	350	39	13
500 500 3500 500	350	72	24
1000 1000 12000 1000	350	113	38
2000 2000 45000 2000	350	172	57
5000 13000 180000 5000	350	214	74
10000 50000 U/L 10000	350	356	119
16000 U/L U/L 16000	420	420	140
18000 U/L U/L 18000	440	438	146
20000 U/L U/L 20000	440	454	151
40000 U/L U/L 40000	520	574	191
50000 U/L U/L 50000	520	619	206

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: Provided that in a normal working period (see Term 13(f)) no more explosives shall be handled than 18000 kg of Divisions 1.1 or 1.5 of Class 1 explosives.

SCHEDULE

Name of place: Anchorage A at latitude 51 27.2' North and longitude 3 00.8' West.

Safeguarding distances :

SD1 : 2300 metres

SD2 : 3450 metres

SD3 : 6900 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5 8600000 U/L U/L 8600000	metres 3450	metres 3450	metres 1150

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: None.

SCHEDULE

Name of place: Anchorage B at latitude 51 28.6' North and longitude 2 59.1' West.

Safeguarding distances :

SD1 : 1870 metres

SD2 : 2800 metres

SD3 : 5600 metres

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilograms) of explosives of each Division of Class 1 allowed to be present if distance limitations are met.	Distance from berth within which buildings may only be occupied by persons essential to the handling operation.	Limiting distance to a passenger vessel.	Limiting distance to persons in the open or other explosives.
1.1 or 1.2 or 1.3 or 1.5 4600000 U/L U/L 4600000	metres 2800	metres 2800	metres 940

NOTE: Where the entry in column 1 is U/L, this means that unlimited quantities of that Division of explosive may be loaded, unloaded or handled at that place.

SPECIAL CONDITIONS: None.