

Manufacture of explosives, storage of more than 2000kg of explosives, or Manufacture and storage of ANBI

Please complete the [application form \(LP41\)](#) and attach a 'draft' licence, which should include the following:

- an explosives schedule (lists all explosives which can be present at the site)
- building schedule(s) (identifies each building, its use, construction, and the nature and maximum quantities of explosives or where appropriate other dangerous materials present)
- site plans – two scaled plans:
 - one to scale in the range of 1:1250 to 1:2500 showing the location of the proposed site and surrounding area for at least 1 km in all directions
 - one showing the site layout. This plan should be suitable for the accurate direct measurement of on-site distances i.e. it should be to a recognised scale¹ when printed.

Plans provided electronically should print to scale on A3 paper. Plans requiring printing to a larger size should be provided in hard copy.

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.

If you have further evidence to support the suitability of the proposed site, you should enclose copies of this evidence. Examples include reports of explosives surveys by the MOD's Explosive Storage and Transport Committee or its successors.

HSE will review your application form, the 'draft' licence and any other relevant information you provide. You may, for example choose to include a statement describing what activities you are looking to undertake and why, an analysis of the separation distance to each class of protected place from each place where explosives are expected to be present and a statement of which approach to setting separation distances you would want HSE consider applying. HSE will normally contact you to arrange to visit to confirm the sites fitness and to discuss what (if any) additional information, drawings and plans might be required to complete the licence application.

If you are applying to vary an existing licence then you should enclose drafts of any conditions, schedules or plans that you intend varying or changing. You may also choose to include a statement describing why you want the variation and what it is intended to achieve. You should also include an analysis of the separation distance to each class of protected place from each place covered by the variation where

explosives are expected to be present and a statement of which approach to setting separation distances you would want HSE consider applying. Depending on the nature and extent of the variation HSE will generally contact you to let you know if a site visit is necessary, to confirm the implications of the variation and to discuss what (if any) additional information, drawings and plans might be required to complete the varying licence application.

Enclose the relevant [application fee](#). Fees are payable on the scale laid down in the current Health and Safety (Fees) Regulations. There is an initial fee for all licences and a further fee payable for all work done on ER2014 and Ports (DGHAR) licences.

FAQs

I have applied to HSE for a licence. What format will my licence be in?

The licence will be in a format approved by the HSE. This will depend on the type of licence that is being granted and the type of activities that it authorises but all licences will include conditions that specify:

- the site;
- the places within a site where explosives may be stored;
- the places within a site where explosives may be manufactured where the licence has been granted for the manufacture of explosives;
- the hazard type, if any, of the explosives;
- the description of the explosives that can be stored;
- the maximum quantity of explosives that may be stored, manufactured or otherwise present.

When HSE licences the manufacture of explosives or the storage of more than 2000kg of explosives it will also include conditions that relate to separation distances and may include conditions that relate to:

- the construction, siting and orientation of buildings where explosives activities take place;
- the explosives activities that can be undertaken in buildings, rooms, structures or other places; and
- the manufacture and storage of the ingredients of explosives that are liable to ignite spontaneously, are flammable or are otherwise dangerous in ways that could initiate or aggravate a fire or explosion.

For most of the licences granted by HSE these conditions will be contained within:

- a licence header which identifies the person in law that the licence has been granted to and the address of the site;
- conditions of Licence which place the plans and schedules into a context;
- plans which show the extent of the site and the places within it where explosives activities can take place;
- an Explosives Schedule which describes the explosives that are authorised to be manufactured, used in manufacture and/or stored;
- a Building Schedule which identifies for each individual place:
 - how the store or building is or shall be constructed;

- the activities that can take place;
- the description, hazard type and quantities of explosives that can be present; and
- the separation distances to be maintained to different classes of protected places

and which may also include limits on the quantity of the ingredients of explosives or other articles and substances that are liable to spontaneous ignition, flammable or otherwise dangerous where it has been assessed that their expected presence could initiate or aggravate the likelihood or consequence of a fire or explosion.

I have applied to HSE for a licence. How will HSE determine the separation distances to be maintained?

When they grant licences HSE will normally follow the distances given in schedule 5 of ER2014.

HSE has the discretion to follow different approaches to setting separation distances to those given in schedule 5 of ER2014. HSE can, for example, use distances interpolated from the tables given in schedule 5 of ER2014 or from the mathematical functions that support the tables.

HSE can also accept separation distances based on technical and structural justifications describing risk and hazard reduction or mitigation measures. Examples could include buildings constructed to the standards published in the Ministry of Defence's [Explosives Regulations \(JSP 482\)](#) or buildings that have been built to deliver the standards of mitigation described in [industry guidance](#). These justifications should be supported by an appropriate demonstration provided by the applicant. HSE's inspectors will assess the suitability of the demonstration and discuss its applicability with the applicant.

When HSE licences the manufacture or storage of ammonium nitrate blasting intermediate (ANBI) it will use the tables found at appendix 2 of the relevant [sub-sector guidance](#). When HSE includes conditions on a licence to cover activities such as disposal or the use of explosives it will generally determine conditions relating to distances to people and property from [industry guidance](#) or specialist publications such as the Ministry of Defence's [Handbook of defence ranges safety \(JSP403\)](#)

You have told me that the Explosives Schedule on a licence granted by HSE describes the explosives that are authorised to be manufactured, used in manufacture and/or stored. What do these terms mean?

For most of the licences that HSE grants HSE uses the explosives schedule to describe the explosives which can be present on the site. The Schedule will generally divide these explosives into 3 groups, namely:

- **Explosives which may be manufactured, used in manufacture or stored;**
 - These are explosives which will be made from non-explosives materials and/or other explosives at the site, may also be used as components to make other explosives at the site and may be stored there. An example would be percussion caps which are made at the site using explosives compositions, are used at the site as a component to make small arms cartridges and are stored there.

- **Explosives which may be used in manufacture or stored;**
 - These are explosives which will not be made at the site. They will be brought in ready-made and then used as components to make other explosives and stored there. An example would be percussion caps which are not made at the site, but brought in ready-made to be used as a component to make small arms cartridges at the site and stored there.

- **Explosives which may be stored;**
 - These are explosives which will not be made nor used to make other explosives at the site, but merely stored. An example would be plastic explosive stored at a site which does not make plastic explosive, nor uses plastic explosive to make other explosives, but stores it for use in demolition work elsewhere.

Can I make changes to my licence?

Yes you can. Regulation 16 of ER2014 describes the circumstances in which a licence can be changed or varied.

If you have a licence from HSE you can use the application form [LP41](#) to apply for a variation.

Changes will be made by way of the grant of a variation to your licence. Generally the variation will only modify those parts of the licence that are directly relevant to the changes applied for.

Where the changes are extensive or where a licence has already been varied a number of times, HSE will consider granting a variation that consolidates all of the changes into a new document (aka a 'consolidating licence') to ensure that the licence remains straightforward to understand and comply with.

If you have a licence from another licensing authority they will be able to tell you what arrangements they have in place for varying your licence.

Is there anything I need to do after I have been granted a licence by HSE or had a licence varied in a way which affects the separation distances required to be maintained?

Within 28 days of the licence being granted or varied you must provide HSE and the local planning authority with a plan of the site and its immediate surrounding area that shows the separation distances that the licence requires you to maintain. This plan is generally known as a safeguarding plan.

HSE's website includes detailed guidance on [how to prepare safeguarding plans](#).