

Blackburn with Darwen Borough Council - Application for a Storage Licence under the Explosives Regulations 2014

- Please read the guidance notes before completing this form.
 - You should not use this form for an application for a licence to store the explosives listed in note 1
 - You should *only* use this form if you want to store no more than 2000kg of explosives
 - If there is insufficient room to provide the information requested, please continue on a separate sheet(s) (see note 2)
 - Please note that it is an offence under Section 33 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.
 - The information contained in this form may be stored electronically. The information may, where appropriate, be shared with other relevant bodies such as other local licensing authorities or the Health and Safety Executive. You have the right to request a copy of any personal information and to have any inaccuracies corrected.
 - Please complete this form using either **black** ink or type.
- The information gathered on this form may constitute personal data as defined in the Data Protection Act 2018. See back page for details of the Data Protection Policy and Controller**

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

New storage licence Renewal storage licence

If this is a renewal application, please state the date of expiry and any reference number

Expiry Date

Reference No.

Nature of business: *[tick the category or categories that apply to this application]*

Fireworks – retail Fireworks-import/wholesale Fireworks-display operator

Recreational user Other *[please specify]*

Are you applying for a licence where the storage will be subject to separation distances? *(See note 5)*

Yes No

Details of the applicant: *[if you are applying on behalf of a company or limited liability partnership (or, in Scotland only, a partnership), please give its name].*

Name of applicant:

Companies House No *(if applicable)*

Date and place of birth *[where applicant is an individual]*

N.I. no *[where applicant is an individual]*

Address *[including postcode]. If the applicant is a company, please give the registered office*

Daytime telephone number:

Mobile number:

Email:

Full address (including postcode) of the where the explosives will be stored:

Do you have an explosives store at an address different to that above? Yes No

If yes, please provide the full address including postcode of this store

Do you have a licence for this store? Yes No . If yes, please provide the licence number and date of expiry

Licence Number

Date of Expiry

If the applicant is not the owner/manager of the business, please give the details of the person with management responsibilities for the store.

Name

position

Address including postcode [if different from above]

Contact telephone number

Email:

Out of hours contact details (if different from above) – please give the name and telephone number, including mobile if appropriate, of the person to be contacted in an emergency.

Name of contact

Telephone No.

Mobile No.

Explosives to be kept and quantities

Hazard Type or UN number	Amount (net mass – kg)

[Please tick the box or boxes that apply]

- 1. Are you intending to store more than 75kg (net) of ammunition or pyrotechnic articles in a building that adjoins domestic premises? Yes No
- 2. Have you had a previous licence or registration¹ refused or revoked? Yes No
- 3. Have you been convicted of any offence under legislation on health and safety, (*See note 4*) Yes No
- 4. Have you been convicted of any other offences relating to the storage, sale, supply, importation or possession of fireworks and/or any other explosives? (*See note 4*) Yes No
- 5. Have you 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 4*)
Yes No

If you have answered “Yes” to any of questions 2-5, please give date(s) and details, including the licensing authority and court where convicted

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

Signature of applicant (or applicant’s representative)

By signing this form you agree to the information provided, in relation the explosives stored e.g. the type and quantity, being shared with the emergency services in the event of an incident. If signing on behalf of a company you should be a Director or enclose documentary evidence that this application has been approved by the board of directors. It is an offence under Section 33 of the Health and Safety at Work etc Act 1974 to provide false information.

Signed Date

Name Position/Job title

Organisation *[if applicable]*

The completed application form, together with the following documents in support of the application, should be sent to your licensing authority. *(Please tick the boxes to confirm the following have been submitted)*

Application fee: *[see note 10]* *(If you are unsure of the fee, please ask your licensing authority).*

Supplementary information sheet *(if applicable)* *[see note 2]*

Plan of the site: *[see notes 6, 7 & 11]*

Floor plan: *(if explosives are to be kept on the shop floor or in a building that is to be used for other purposes as well as the storage of explosives)* *[see notes 8 & 11]*

DATA PROTECTION ACT 2018

The information gathered on this form may constitute personal data as defined in the Data Protection Act 2018.

Blackburn with Darwen Borough Council (BWDBC) is the data controller for the personal information you supply on this personal data collection form. Our general privacy notice can be found here:

<https://www.blackburn.gov.uk/Pages/Privacy-policy.aspx>

BWDC's Data Protection Officer can be contacted at accesstoinformation@blackburn.gov.uk

The personal data you supply will be used for enforcement and other statutory purposes. We may share your data with other departments within BWDBC if necessary, for the purposes of providing you with a service. We may share your data with other law enforcement agencies for the purpose of prevention or detection of crime, but otherwise we won't share your data unless we are required to so by law.

For licensing authority use only:

Application form completed

Fee enclosed

Site Plan enclosed

Building Floor Plan enclosed

Guidance to applicants

IMPORTANT It is your responsibility to ensure you are aware of, and comply with, the Explosives Regulations 2014. The licensing authority has the power to prohibit storage of explosives at the site if it believes the site is no longer suitable. It may also take enforcement action if you are not storing safely.

If you are intending to supply fireworks **outside** the normal permitted period's e.g. New Year, Chinese New Year, October 15th-November 10th and Diwali, you will also need to make a separate application to your local licensing authority for a licence to comply with the Fireworks Regulations 2004.

General information on completing the application

1. This form should **not** be used for an application for a licence to store the explosives listed below:

- relevant explosives
- ammunition the acquisition of which is regulated or prohibited by virtue of the Firearms Acts 1968 to 1997
- smokeless powder or percussion caps
- explosives stored by a person who is registered as a firearms dealer under section 33 of the Firearms Act 1968

If you want to store the explosives listed above, you should use form ER2

You should only use this form if you want to store no more than 2000kg of explosives. If you want to store more than 2000kg of explosives you should apply to the Health and Safety Executive for a licence. Further information on licensing can be found at www.hse.gov.uk/explosives/licensing/how-to-apply.htm

2. If there is insufficient room to provide the information requested, please continue on a separate sheet(s). You should also put your name and address at the top of each sheet before attaching the sheet(s) to your application form.

3. Please contact your local licensing authority if you have any questions about completing this form or about your application. If you live in the metropolitan counties (i.e. West Midlands, Merseyside, Greater Manchester, Tyne and Wear, South and West Yorkshire) or in Oxfordshire, Cornwall or Norfolk, you will need to apply to the fire and rescue service. In other areas you will normally need to contact the trading standards department of your local authority

4. 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. 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 to an application for a licence can be found at www.hse.gov.uk/explosives/index.htm

5. Separation distances - please see Regulation 27 of the Explosives Regulation 2014. You will not normally be required to maintain separation distances if you store no **more than one** of the following:

- 250kg HT4 or
- 25kg HT3 (or combination of HT3 and HT4) or
- 0.1kg HT1 or
- 0.1kg HT2

on one site. If you are unsure whether your store or on places where you will be manufacturing or processing explosives on site are subject to separation distances, contact your local licensing authority

The following documents should be submitted with the application form:

6. A plan to a scale sufficient to show the location of the site in relation to its surroundings (i.e. named or numbered roads, hamlets, villages or geographical features). Where the site does not have a postal address this should normally be a minimum scale of 1:25000.

7. If the store is subject to separation distances you will also need to provide an Ordnance Survey Siteplan (or similar) map showing the location of the store and distances to any neighbouring buildings. The plan should also show any areas where you intend to process or manufacture explosives where a licence for those activities is not required under regulation 6 of ER2014. The scale will depend on the separation distance. For a distance of up to 200 metres, a 1:1250 would normally be required while greater distance would require a 1:2500 or even a SuperPlan. Where this plan clearly identifies the location of the site in relation to its surroundings it can be substituted for the plan referred to in 6 above.

8. If you intend to store or display more than 12.5kg of fireworks on a shop floor, the licensing authority will require you submit a floor plan of the sales area.

9. If you intend to store, process or manufacture explosives within a building that is also used for other purposes you should include a floor plan showing the places within the building where you intend storing, processing or manufacturing the explosives.

10. The fee must also be submitted with the application. Information on fees can be found at www.hse.gov.uk/explosives/licensing/fees.htm, or contact your licensing authority for advice.

Renewal of licence.

11. If there have been no relevant changes to the site usage, layout or places where explosives are stored, or to the proximity of protected places to the stores since the licence was originally granted or last renewed, then it will not, in general, be necessary for a new plan to be submitted to your licencing authority.

Hazard type and quantity

12. The licensing authority will need to know the hazard type and quantity of the explosives you wish to store to determine whether your store is suitable. The quantity you will be allowed to store will depend on the hazard type of the explosives. Please contact your supplier if you are uncertain about the hazard types of explosive you wish to store.

13. The "quantity" refers to the '**net mass**' of the explosives. This means the weight of the explosive contained within an article i.e. less packaging, casings, etc

Period of validity

14. Licences for fireworks and other explosives that do not require an explosive certificate may be granted for up to 5 years as the licensing authority determines.

Insurance

15. 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>

16. 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.

Application for Explosives Storage Licence: Additional information

The following information will assist the Licensing Authority in processing the application quickly and efficiently. As with the application itself, knowingly providing false or misleading information is an offence under Section 33 of HASWA.

In respect of the premises at which the explosives will be stored, is the applicant:

the freeholder leaseholder Other please specify

If the premises is leasehold: when does the lease expire?

In some cases, the Licensing Authority will require a copy of the lease documents

During the period of the licence will this premises be used for any purpose other than the storage and/or sale of fireworks? Yes No

If yes please describe other use/s e.g. Domestic/other retail/other wholesale etc

Are the fireworks to be kept in:

a dedicated room a fire resistant container

a display case a cage

Do you use any **Pyro Cages** (or other forms of mitigation) to store HT3 fireworks (making them HT4)? YES/NO. If yes, what make of Pyro cage?

Is more than 12.5 Kg (net explosives mass) to be stored in a retail area to which the public have access? Yes No

If Yes: what is the floor area of the shop floor? M²

If you have not included a plan of the floor plan of the sales area, please confirm whether or not there have been no relevant changes to the site usage, layout, or storage locations since your current licence was granted: Yes / No

(refer to notes 8,9 & 11 of the Guidance to applicants accompanying the application)

Does anyone live or sleep within, adjoining or above the premises where the firework sales and/or storage will take place? Yes No

If yes:- which if any of the following measures are in place to protect the accommodation? :-

i. fire detection and alarm system linking the commercial parts and the accommodation

ii. fire resisting construction. Where known, please provide details

iii. Separate fire protected entrance to the residential part/s

iv. Other... Please specify

Have you carried out a fire risk assessment for the premises? Yes No

If yes, is this written down? Yes No

Who is your fireworks supplier? (Please give name and address)

What brands of fireworks do you intend to stock?

Will you store fireworks outside the specified sales periods? Yes/No

If so, where will you store them?

If not, what will happen to any left over stock?

Please confirm the number of years you want the licence to run for*?

I confirm that I have answered the questions above fully and that the answers given are true to the best of my knowledge and belief.

Signed Date.....

*The maximum period the licence can be granted for is 5 years, however, in certain cases, the Licensing Authority will restrict this period

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