



## **Dangerous Goods in Harbour Areas Regulations 2016**

NOTICE IS HEREBY GIVEN that Great Yarmouth Port Company Ltd has applied to the Health and Safety Executive for a variation to a licence to handle certain explosives under regulation 16 of the Dangerous Goods in Harbour Areas Regulations 2016, at Great Yarmouth Outer Harbour North Terminal Berth 1. This location is additional to River Berths 3 & 5 presently consented for this activity.

A copy of the draft licence is available for viewing at Vanguard House, South Beach Parade, Great Yarmouth, NR30 3GY (Monday-Friday 0900-1200) and on the Web Site at <https://www.peelports.com/port-locations/great-yarmouth>

Any person or persons who wish to object to, or comment on, the application shall send a written statement of their objections to, or comments to:

HM Chief Inspector of Explosives  
Health and Safety Executive  
1-2 Redgrave Court  
Merton Road  
Bootle  
Merseyside  
L20 7HS

Quoting Reference Number XI/4811/235/1 to arrive within one calendar month of the date of this notice.

Dated: January 12, 2021

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**THE DANGEROUS GOODS IN HARBOUR AREAS REGULATIONS 2016**

**EXPLOSIVES LICENCE**

1. The Health and Safety Executive hereby grants to

**Great Yarmouth Port Company Ltd**

**Registered Address:** Maritime Centre,  
Port of Liverpool,  
Liverpool.  
L21 1LA

**Company No:** 05971330

an Explosives Licence for the purposes of regulation 15, by exercise of its powers under regulation 16(2) of the Dangerous Goods in Harbour Areas Regulations 2016, permitting explosives to be carried and handled, or loaded on board and unloaded from a vessel in the circumstances described in regulation 14(1) of the Regulations, within the harbour known as;

**Port of Great Yarmouth  
as defined in**

**The Great Yarmouth Port Authority Acts and Orders 1866 to 2015**

2. The Licence is subject to the attached Conditions.
3. In this licence, including the Conditions, the "Regulations" means the Dangerous Goods in Harbour Areas Regulations 2016, and words and expressions used in this Licence, unless the context otherwise requires, have the same meanings as in the Regulations.
4. This Licence revokes Licence No 6/07 (File Ref XI/4811/34/4) issued under the Regulations, and this includes any licences granted under the Dangerous Substances in Harbour Area Regulations 1987, in respect of this place and remains in force unless revoked by the Health and Safety Executive in writing.

**Signed:**

**Sally Lloyd Davies  
HM Chief Inspector of Explosives**

**A person duly authorised by the Health and  
Safety Executive to act on its behalf.**

**Date:**

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## CONDITIONS OF LICENCE

1. Nothing in this Licence prohibits –
  - (a) The entry of explosives into; or
  - (b) The handling of explosives at;  
any other place within this harbour at which explosives may be handled under the Regulations.
  
2. A vessel containing explosives must only be anchored or berthed at such places as are specified in the Schedule to this Licence.
  
3. Explosives must only be loaded or unloaded from a vessel, or handled, at such place or places as are specified in the Schedule to this Licence and identified as such on the Plan [Version No. 1.03] annexed to these conditions.
  
4. In respect of a place so specified -
  - (a) the quantity of explosives present must 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 must not exceed one third of the quantity so specified, unless the explosives in Compatibility Groups A, B or F are separated from any other explosives so as to prevent communication of explosion to those other explosives.
  - (b) no loading or unloading must 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 must be complied with.
  
5. 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 Condition, that quantity must be rounded up, that is to say, the explosives must be treated as being of a quantity equal to the next higher quantity specified in that column.
  
6. Where explosives in different Divisions are carried together then -
  - (a) for the purpose of applying the Schedule, they must 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 must all be deemed to be in Division 1.1.
  
7. Distances referred to in the Schedule must 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.

8. Within 28 days of the Licence being granted, the licensee must prepare and send to the Health and Safety Executive and the local planning authority, a plan showing each place where explosives are allowed to be handled under this Licence. There must be delineated on the plan the area of land which is within the separation distances from that place as specified in the relevant part of the Schedule. Where the separation distances are altered pursuant to a variation of the Licence, the licensee must prepare and send a revised plan to the above mentioned bodies as soon as is practicable, and no later than 28 days, after that alteration.

9. In respect to developments in the vicinity of the separation distances -

(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 separation 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 must, 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 Condition, any development within the separation distances involving a material increase of the population or in the numbers of buildings must be so notified.

(c) If at any time after the grant of this Licence, by reason of the presence of any such development, the maximum population count is exceeded, or any development ceases to be beyond the relevant separation distances, the quantity of explosives that may be handled shall be NIL, or such quantity as may from time to time be prescribed, in writing, notwithstanding any other conditions of licence.

10. In these Conditions and in the Schedule -

(a) reference to explosives is a reference to explosives that are not exempted from the licensing provisions of regulation 15 the Regulations by regulation 14(2);

(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 given in section 1 of the Town and Country Planning Act 1990;

(ii) in Scotland, the council for the local government area constituted under section 2 of the Local Government etc. (Scotland) Act 1994;

For the area within the separation distances referred to above. Where the area is within the jurisdiction of more than one planning authority then the phrase means them all;

(d) "passenger vessel" means a vessel carrying more than twelve passengers;

(e) a "passenger" is any person carried in a vessel except:

(i) a person employed or engaged in any capacity on board the vessel, on the business of the vessel;

(ii) a person aboard the vessel, either in pursuance of the obligations laid upon the Master to carry shipwrecked, distressed or other persons, or by reason of any circumstance that neither the Master nor the owner nor the charterer (if any) could have prevented or forestalled;

(f) "separation distance" means the distance between:

(i) a berth or other place, or a vessel at a berth or other place where explosives are, or are to be, handled; and

(ii) a building or other place, or a vessel or passenger vessel, or a vehicle or other place containing an unrelated consignment of explosives in or at which people are or are likely to be present either all the time or from time to time;

(g) Protected places of separation distances SD1, SD2 and SD3 are based on an annual maximum aggregated dwell time for explosives at the berths that total to no more than 50 days or 1200 hours per year. Explosives at berths must not exceed the annual aggregated dwell time or as otherwise stated in the Special Conditions associated with the berth.

(h) “protected place of separation distance SD1” means a dock, jetty, minor road (that is a road used ordinarily by more than 500 vehicles every 24 hours), pier, railway line, reservoir, river wall, runway for the use of aircraft, or sea wall.

(i) “protected place of separation distance SD2” means -

- (i) a building, whether a dwelling or not, but not including a building as specified in column 2 of the Schedule or a vulnerable building;
- (ii) a place, other than a building to which paragraph (i) applies, that is used for the storage in bulk of dangerous goods other than goods which are explosives;
- (iii) a place, not within the site where the explosives are stored and other than a building to which paragraph (i) applies that is used for –
  - (aa) the storage of explosives; or
  - (ab) the manufacture or processing of explosives;
- (iv) a major road (that is a road used ordinarily by more than 10000 vehicles every 24 hours)

(j) “protected place of separation distance SD3” means a vulnerable building (that is a building or structure of vulnerable construction), that is to say -

- (i) a building of more than three storeys above ground or 12 m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5 m<sup>2</sup> and extending over more than 50% or 120 m<sup>2</sup> of the surface of any elevation;
- (ii) a building of more than three storeys above ground or 12 m in height with solid walls and individual glass panes or frangible panels larger than 1.5 m<sup>2</sup> and extending over at least 50% or 120 m<sup>2</sup> of any elevation;
- (iii) a building of more than 400 m<sup>2</sup> the plan area with continuous or individual glazing panes larger than 1.5 m<sup>2</sup> extending over at least 50% or 120 m<sup>2</sup> of the plan area; or
- (iv) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage, such as progressive collapse.

## SCHEDULE

NAME OF PLACE (as shown on the Plan [Version No. 1.03]) NT1 (Bollard 8.5 - 16.5)

COLUMN 1				COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilogrammes) 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 not essential to the handling operation.	Limiting distance to a passenger vessel at berth or anchorage.	Limiting distance to persons in the open or other explosives.
1.1	1.2	1.3	1.5	metres	metres	metres
50	50	50	50	15	15	5
100	100	130	100	24	24	8
500	500	3500	500	71	71	24
1000	1000	12000	1000	112	112	37
2000	2000	45000	2000	170	170	57
4000	8500	130000	4000	244	244	81
4500	11000	150000	4500	257	257	86

Note: Where the entry in Column 1 is U/L, this means that unlimited quantities of that Division of explosive may be handled at that place.

### Special Conditions:

- i. When explosives are present or are being handled in quantities in excess of those appearing in the first row of Column 1, no people shall be present in the following buildings:
  - a. NT2 Area (A)

SEPARATION DISTANCES (mentioned in Condition 10)

**SD1:** 171 METRES **SD2:** 257 METRES **SD3:** 514

## SCHEDULE

NAME OF PLACE (as shown on the Plan [Version No. 1.03]) Berth No 3 (Bollard 35 to 41)

COLUMN 1				COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilogrammes) 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 not essential to the handling operation.	Limiting distance to a passenger vessel at berth or anchorage.	Limiting distance to persons in the open or other explosives.
1.1	1.2	1.3	1.5	metres	metres	metres
75	75	75	75	20	20	7
100	100	130	100	25	25	8
150	150	300	150	32	32	11

Note: Where the entry in Column 1 is U/L, this means that unlimited quantities of that Division of explosive may be handled at that place.

### Special Conditions:

- i. When explosives are present or are being handled in quantities in excess of those appearing in the first row of Column 1, no people shall be present in the following buildings:
  - a. ASCO Warehouse (K)
  - b. ASCO Warehouse (L)

SEPARATION DISTANCES (mentioned in Condition 10)

**SD1:** 22 METRES **SD2:** 32 METRES **SD3:** 65 METRES

## SCHEDULE

NAME OF PLACE (as shown on the Plan [Version No. 1.03])      Berth 5A (Bollard 52.5 to 58),  
Berth 5B (Bollard 58 to 62),  
Berth 5C (Bollard 62 to 67)

COLUMN 1				COLUMN 2	COLUMN 3	COLUMN 4
Maximum aggregate quantity (in kilogrammes) 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 not essential to the handling operation.	Limiting distance to a passenger vessel at berth or anchorage.	Limiting distance to persons in the open or other explosives.
<b>1.1</b>	<b>1.2</b>	<b>1.3</b>	<b>1.5</b>	<b>metres</b>	<b>metres</b>	<b>metres</b>
100	100	130	100	25	25	8
200	200	500	200	40	40	13
375	375	1,800	375	60	60	20

Note: Where the entry in Column 1 is U/L, this means that unlimited quantities of that Division of explosive may be handled at that place.

**Special Conditions:**

None

SEPARATION DISTANCES (mentioned in Condition 10)

**SD1:** 40 METRES    **SD2:** 60 METRES    **SD3:** 120 METRES