
STATUTORY INSTRUMENTS

2014 No. 1638

The Explosives Regulations 2014

PART 6

REFUSALS OF AUTHORISATIONS

Refusal of a licence and draft licence and refusal of a renewal or transfer of a licence

20.—(1) Subject to paragraphs (3) to (5), the licensing authority must—

- (a) refuse an application for a licence; and
- (b) where regulation 14(1) applies, refuse to issue the draft licence referred to in regulation 14(1),

where paragraph (2) applies.

(2) This paragraph applies where the licensing authority is of the opinion that—

- (a) the proposed site or, within it, any place where the manufacture or storage of explosives is proposed to take place is unsuitable for that manufacture or storage; or
- (b) the applicant is not a fit person—
 - (i) to store explosives, in the case of an application for a licence to store explosives; or
 - (ii) to manufacture explosives, in the case of an application for a licence to do so.

(3) Where a licensing authority proposes to refuse an application for—

- (a) a licence;
- (b) a renewal of a licence;
- (c) a variation of a licence; or
- (d) a transfer of a licence;

it must, before taking any such action, notify the applicant of its proposed course of action and afford that applicant the opportunity of making representations to the licensing authority about it, within a period of 28 days from the date of the notification.

(4) Representations made for the purpose of paragraph (3) may be made in writing, or both in writing and orally.

(5) Where the licensing authority decides to refuse an application for—

- (a) a licence;
- (b) a renewal of a licence;
- (c) a variation of a licence; or
- (d) a transfer of a licence;

it must provide the applicant with written reasons for its decision.

(6) A refusal by the licensing authority, pursuant to paragraph (1), to issue the draft licence referred to in regulation 14(1) is to be treated for the purposes of these Regulations as a refusal of an application for a licence.