

PETROLEUM LICENSING	2nd February 2016
TO: ENVIRONMENTAL SERVICES COMMITTEE	
For Decision	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Innovation and Transformation
Outcome	Convergence of petroleum licence conditions
Lead Officer	Bryan Edgar
Cost: (If applicable)	N/A

1.0 CONVERGENCE OF PETROLEUM LICENCE CONDITIONS

1.1 Background

Causeway Coast and Glens Borough Council is designated as a Petroleum Licensing Authority under the Petroleum (Consolidation) Act (Northern Ireland) 1929 and as such grants licences annually to persons wishing to keep petroleum spirit. As permitted by the Act, conditions are imposed by the Council on the licensee in order to ensure the safe operation of the licensed site.

There is a variance in the petroleum licence conditions of the legacy councils and consistency in petroleum licences issued across the Borough is essential. The proposed petroleum licence conditions for Causeway Coast and Glens Borough Council are attached in Appendix II. These conditions are already in use in three of the four legacy Council areas. Their adoption therefore will alter the existing licence conditions for licensees in just one of the four legacy council areas.

The proposed conditions are consistent with the Dangerous Substances & Explosive Atmospheres Regulations (Northern Ireland) 2003 (DSEAR). When introduced these regulations, which are risk assessment based, effectively removed much of the responsibility for controlling the routine operation of petrol filling stations from the Petroleum (Consolidation) Act (Northern Ireland) 1929 and therefore required less prescriptive control measures to be contained in conditions. The reduction in the number of licence conditions for petrol stations in the legacy council area for which convergence represents a change does not diminish the licensee's responsibilities. Neither does it place any additional burden on them.

DSEAR does not however apply to non-workplace situations, and petroleum licensing is still therefore the primary mechanism by which such non-workplace petroleum-spirit storage is controlled. These proposed licence conditions are therefore only intended at this stage to address the licensing of retail and non-retail Petrol Filling Stations, where a work activity is undertaken.

1.2 Recommendation

Adoption of the petroleum licence conditions attached as Appendix II for retail and non-retail Petrol Filling Stations, where a work activity is undertaken.

2.0 ADOPTION OF DOCUMENT - PETROLEUM LICENSING

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment
Outcome	Adoption of document - Petroleum Licensing
Lead Officer	Bryan Edgar
Cost: (If applicable)	N/A

2.1 Background

It is proposed that the current version of the IP/APEA publication 'Design, Construction, Modification, Maintenance and Decommissioning of Filling Station' be adopted by Council as the standard for all new sites and existing sites that are modified/refurbished.

The document: -

- provides technical information on the storage and dispensing of petroleum products
- covers issues relating to planning, design, construction, commissioning, modification, maintenance and decommissioning of filling stations
- provides information aimed at minimising the risks from fire and explosion
- describes good practice and certain legal requirements

The document is recognised by all stakeholders, the petrol retail industry, Petroleum Licensing Authorities and the Health and Safety Executive as the only current national guidance that should be followed.

Anyone wishing to depart from such guidance during the design, build or operation of a filling station would have to justify the decision on the basis of a robust and justifiable risk assessment.

2.2 Recommendation

Adoption of the IP/APEA publication 'Design, Construction, Modification, Maintenance and Decommissioning of Filling Station' as the standard required for all new sites and existing sites that are modified/refurbished.