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

### **Health and Safety Executive**

**RPC rating: validated**

#### **Description of proposal**

The proposal is to shorten and simplify the Dangerous Substances in Harbour Areas Regulations, which govern the safe storage, handling, loading, unloading and carriage of dangerous substances in ports and harbours. The new regulations will align with other related standards and legislation, simplifying the provisions and make it easier for duty holders to comply, while retaining key protections to minimise the risk of major accidents arising from dangerous substances.

#### **Impacts of proposal**

HSE estimates that around 5,680 businesses, conducting activities in harbour areas will be affected by the proposals. Businesses will benefit as a result of being able to comply with a simpler set of regulations and consolidated guidance. For example, the proposals will reduce the record-keeping requirement relating to explosives, from five years to three years, so that it aligns with the Explosives Regulations 2014. Other benefits include a shorter period for providing notification of intention to bring a dangerous substance into harbour areas and, over the course of the appraisal period, new harbours would not have to hold an explosives licence.

HSE estimates that each business will require three hours of a health and safety manager's time, at a cost of approximately £36 per hour, to familiarise themselves with the new regulations and guidance. The total one-off cost to business of this has been estimated at £0.62 million; there will be no additional ongoing costs.

Although HSE has not explicitly monetised the benefits of the proposals, it expects that the one-off familiarisation costs will be at least offset by the ongoing savings to business. Based on the familiarisation costs above, the impact assessment (IA) estimates that, to 'break even', businesses would need to save 21 minutes each year from the proposals. The IA concludes that it is reasonable to assume that, on average, each affected business will save that amount of time. This assumption is supported by responses from public consultation.

## Quality of submission

In response to comments made by the RPC in its regulatory triage confirmation, HSE has strengthened the evidence supporting the assessment of the impact of the proposals by including an estimate of familiarisation costs and the required time savings needed to off-set these costs. Although HSE has not explicitly monetised the benefits, the IA provides a qualitative discussion of the ongoing savings to business arising from the simplification and presents evidence from the consultation to support its assessment that the will at least match the cost.

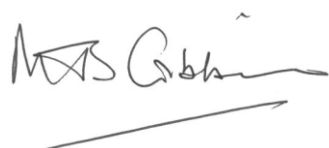
The IA provides sufficient analysis for the RPC to be able to confirm the proposals as being net beneficial to business. The proposals will be qualifying regulatory provisions, accounted for under the business impact target. For the reasons outlined above, the RPC is able to validate the equivalent annual net cost to business (EANCB) as zero for this purpose.

## Departmental assessment

Classification	Qualifying regulatory provision (OUT)
EANCB	Zero (net benefits not monetised)
Business net present value	Zero (net benefits not monetised)

## RPC assessment

Classification	Qualifying regulatory provision (OUT)
EANCB – RPC validated	Zero (net benefits not monetised)
Small and micro business assessment	Not required (deregulatory)



**Michael Gibbons CBE**, Chairman