



## DOSR/RN/2022-02 – Occupied Buildings – Licensing and ALARP<sup>1</sup>

Date: 14 Nov 2022

### References:

- A. DSA 03.OME Part 2 Chapter 10 Section 2 Exposed Site Type 25 < 20 people.
- B. AASTP-1 Exposed Sites Type 26a.
- C. DSA 03.OME Part 2 Chapter 9.
- D. DSA 03.OME Part 2 Chapter 6.
- E. Explosives Regulations 2014, Regulation 26 (1) (C).
- F. Health & Safety at Work Act 1974.

### Purpose

1. The purpose of this DRN is to provide guidance regarding:
  - a. When a building should be considered an Occupied Building (OB) and attract Ref A / B Quantity Distances (QD)<sup>2</sup>.
  - b. The information that a licensee should hold to support their decision to accept placing people deemed to be conducting Explosives Area Support Work (EASW) in an office environment at a lesser distance than the prescribed QD, thus at a greater level of risk.
2. Recent DOSR inspections have rejuvenated concern regarding disapplication of QDs from OBs which should attract the Ref A / Ref B QD level of protection. The disapplication is based on the fact that the occupants are deemed to be conducting EASW and are essential to the explosives operations.
3. It has been suggested that many, if not all tasks, are essential to the explosives operations, especially at storage depots where explosives storage and processing are the core function. In many instances noted, while it is not questioned that the tasks are essential for the operation of the site, the necessity to conduct the task at a location which exposes the person to an increased level of risk appears questionable.
4. DOSR considers EASW can be divided into two distinct categories:
  - a. When the task requires the person to be at a specific location, for example, fixed installation repairs, grounds maintenance, 100% supervision or oversight within a Potential Explosion Site (PES). In such instances a set QD cannot be prescribed.
  - b. When it is physically possible to carry out a task at a specified QD but it is not reasonably practicable to do, for instance:
    - (1) A supervisor who needs to be “out and about” within explosives area but has a frequent need to work in an office type environment to adequately undertake their supervisory role and the distance to a suitable office at the required QD is such it is considered justifiable for the supervisor to remain exposed to an increased level of risk.

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<sup>1</sup> This Notice is NOT relevant to Authorised Quantity licenses.

<sup>2</sup> The principles are equally applicable to Ref A ES Type 25 Office >20 people / Ref B ES Type 26B.



(2) A supervisor where the staff they supervise have a frequent need to engage face to face with their supervisor, and the distance to a suitable office at the required QD is such it is considered justifiable for the supervisor to remain exposed to an increased level of risk.

(3) Additional line management may be justified, so that they may be co-located with their operational teams. In such situations, the safety and/or operational requirement should be clearly demonstrated.

5. In no instance should work be considered as EASW for convenience or if it is reasonably practicable to physically carry out the task at a compliant location. Lack of a suitable alternative location is not a justification on its own.

### Occupied Buildings

6. The following buildings, unless covered by specific QDs, may be considered unoccupied:

- a. Non-explosives stores where the occupancy is purely transitory, such as deposit or collect items, stock checking including ancillary buildings used for completion of paperwork required during stock checking/receipts & issues.
- b. Switch rooms / plant rooms, FLT garages for example, where the occupancy is purely transitory like taking daily readings.

7. Where presence within a building is non-transient in nature<sup>3</sup>, that building should be considered to be occupied and the appropriate QD applied. Examples<sup>4</sup> of Occupied Buildings include but are not limited to:

- a. Offices, access control points.
- b. Locations where lunch breaks<sup>5</sup> are taken, or people congregate for meetings.
- c. Stores, where the occupancy is non-transitory.

8. A schedule of all facilities excluding PES within Inhabited Building Distance like “Yellow Line” shall be held. At a minimum the schedule shall include building designator/number, building name, function (with content details if a store), occupancy status.

9. In line with safeguarding principles the licensee is to assure the accuracy of the information every 3 months. The relevant Inspector of Explosives is to be immediately notified of any change to the occupancy status of a building.

10. In instances where the licensee considers it is not reasonably practicable to apply the required QD to an OB, a robust justification for exposing the occupants to an increased level of risk shall be held.

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3 As an initial guide, it is considered reasonable that if a building is occupied for less than 10% of the working day/shift and the task is directly associated with the explosives tasks, then the occupancy may be considered transitory, for example Day/Shift = 8 hours, = 480 minutes, 10% = 48 mins.

4 For toilets and shift houses/changing rooms – See Ref C paragraphs 14.3 and 14.4 respectively.

5 Locations authorised for staff undertaking Explosives Work (EW) or EASW to take short duration refreshment/rest breaks may be considered transitory if the licensee considers it is not reasonably practicable to transit to a QD compliant location.



## Justification evidence

11. The justification for the disapplication is, at a minimum, to include the following:
  - a. Building identification.
  - b. Posts authorised to be present (by Post Tally if available).
  - c. Task(s) requiring the person(s) to be present.
  - d. Lowest QD, for example, Actual Distance/NEQ 1/3, the surrounding Authorised Limits actually present. This is not necessarily the closed PES.
  - e. Building structural information compared against Ref D Table 2. Note: If the surrounding construction requirements of Table 2 applicable to the lowest actual QD, the surrounding PES present are met, no further justification is required.
  - f. Worse case injuries expected. Ref D paragraphs 3 and 5.
  - g. Other options providing greater protection considered but dismissed as not reasonably practicable.
  - h. An auditable record that the licensee has authorised the disapplication.
12. No format is mandated but Annex A provides a template / exemplar licensees may wish to use.

## Tolerable and ALARP

13. To meet the duties imposed by Refs E and F, risks must be Tolerable and ALARP. Meeting the licensing QD requirement should ensure a tolerable level of risk but does not ensure the risk is ALARP. If it is reasonably practicable to provide an alternative facility that provides a greater level of protection that option should be taken.

## Implementation

14. Effective 14 Nov 2022.

## Queries

15. Any observations or requests for further guidance on the content of this DRN should be submitted by email to [dsa-dosr-prg@mod.gov.uk](mailto:dsa-dosr-prg@mod.gov.uk).

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## DOSR/RN-2022-02 – Occupied buildings – Licensing and ALARP Annex A - Template example.

<b>Building Number:</b> XYZ			
<b>People &amp; Tasks authorised</b>			
Post Tally/Role/Function	Tasks	Conducting EASW full or limited time	Comments
DSA-DOSR-1	Section supervision	Full	Level of contact required with EW staff justifies presence.
DSA-DOSR-2	Movement updates	Approx. ½ days	Updating location information following transport movements.  With movement data arriving hourly it is not reasonably practicable to use a remote location, and direct communication with transport staff frequently required.
<b>Quantity Distance information</b>			
Lowest actual QD surrounding Authorised Limits present			HD 1.1 - 9.6Q <sup>1/3</sup>
<b>Structural Information – Compared against DSA 03 OME Pt 2 Ch 6 Table 2</b>			
Walls	215mm brick walls, no structural frame.		
Roof	150mm RC		
Glazing	MOD normal		
Other			
<b>Worse case injury - See DSA 03 OME Pt 2 Ch 6 para 5</b>			
Serious injuries due to building collapse due to no structural frame – see Ch 6 table 2.			
<b>Other relevant factors</b>			
Issue only present when jetty is operating above 128,580kg			
<b>Other options considered</b>			
Office space beyond IDB available but due to level of contact with operatives not considered reasonably practicable.			
Providing structural frame – cost to be investigated but expected to be prohibitive.			



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