
STATUTORY INSTRUMENTS

2014 No. 1637

The Petroleum (Consolidation) Regulations 2014

PART 3

STORAGE OF PETROL IN DOMESTIC OR OTHER RELEVANT PREMISES

Storage of petrol in domestic or other relevant premises

13.—(1) A person keeps petrol in compliance with this regulation if the petrol—

- (a) is kept in domestic or other relevant premises;
- (b) is kept otherwise than for sale; and
- (c) is kept—
 - (i) in accordance with paragraph 1 or 2 of Schedule 2; or
 - (ii) where there is a valid licence authorising the keeping of petrol granted by the petroleum enforcement authority under regulation 14, in accordance with that licence.

(2) A person keeps petrol in compliance with this regulation if the person keeps no more than 500 millilitres of petrol in a suitable container that is securely stopped, in the circumstances described in paragraph (1)(a) and (b), whether or not the person also keeps petrol pursuant to paragraph (1)(c).

(3) Petrol kept pursuant to paragraph (2) is not to be counted towards the amount of petrol kept in a storage place in accordance with Schedule 2.

Licences for storage in domestic or other relevant premises

14.—(1) A petroleum enforcement authority may grant a person a licence authorising the keeping of petrol in excess of 275 litres in domestic or other relevant premises.

(2) A licence may only authorise the keeping of petrol for private use.

(3) “Private use” does not include keeping petrol for the purpose of sale.

(4) A petroleum enforcement authority may only grant a licence if it is satisfied that the keeping of petrol in accordance with the licence, including any proposed conditions of the licence, would not create an unacceptable risk to the health or safety of any person.

(5) A petroleum enforcement authority may attach conditions to a licence concerning any or all of the following matters—

- (a) the nature and location of the premises in which petrol is to be kept;
- (b) the amount of petrol kept;
- (c) the mode of storage of petrol;
- (d) the dispensing of petrol;
- (e) the nature of any goods with which petrol is to be stored;
- (f) the systems, if any, for fire detection;

- (g) the equipment, if any, for the extinguishing of fires;
 - (h) the security of the site and petrol stored on the premises;
 - (i) the safe-keeping of petrol, generally.
- (6) A licence must specify the premises, and the places within the premises where petrol is to be kept, and the name of the licensee.
- (7) A licence may be granted for a maximum of three years.
- (8) A licence is personal to the licensee and is not transferrable.

Appeals from refusals by petroleum enforcement authorities to grant licences

- 15.**—(1) A person who is aggrieved by a decision of a petroleum enforcement authority not to grant a licence under regulation 14 may appeal to the Secretary of State.
- (2) Subsections (2) to (6) of section 44 of the 1974 Act apply for the purposes of this regulation as they apply to an appeal under section 44(1) of that Act.
- (3) The Health and Safety Licensing Appeals (Hearings Procedure) Rules 1974 apply for the purposes of this regulation, but as if any reference in those Rules—
- (a) to an appeal were a reference to an appeal under paragraph (1); and
 - (b) to a licensing authority were a reference to a petroleum enforcement authority.
- (4) Paragraph (3) applies in Scotland as if the reference to the Health and Safety Licensing Appeals (Hearings Procedure) Rules 1974 were a reference to the Health and Safety Licensing Appeals (Hearings Procedure) (Scotland) Rules 1974.
- (5) The Secretary of State, when determining the appeal, may direct the petroleum enforcement authority to grant a licence.
- (6) In paragraph (5) “Secretary of State” includes a person who under section 44(2) of the 1974 Act determines the appeal on behalf of the Secretary of State.

Renewal and variation of licences

- 16.**—(1) A petroleum enforcement authority may renew a licence, on the application of the licensee, for a period of up to three years if it is satisfied that the keeping of petrol in accordance with the conditions of the licence would not create an unacceptable risk to the health or safety of any person.
- (2) A petroleum enforcement authority may vary the conditions of a licence, on the application of the licensee, if the petroleum enforcement authority is satisfied that the storage of petrol in accordance with the conditions of the licence, as it is proposed they be varied, would not create an unacceptable risk to the health or safety of any person.
- (3) In varying the conditions of a licence a petroleum enforcement authority may attach only conditions that it would be able to attach pursuant to regulation 14 on the grant of a licence.

Revocation of licences

- 17.**—(1) A petroleum enforcement authority may revoke a licence where—
- (a) there has been a change in circumstances so that the continued keeping of petrol in accordance with the conditions of the licence would create an unacceptable risk to the health or safety of any person; or
 - (b) a condition of the licence has been contravened.
- (2) Where a licence is revoked, the licensee must return the licence to the petroleum enforcement authority within 28 days of the date of the revocation.