

Summary of the Terrorism (Protection of Premises) Bill aka Martyn's Law

This is a high-level summary of the key points from the Terrorism (Protection of Premises) Bill published in May 2023, prepared for Waterloo businesses. It is based on the guidance notes, the bill, and the impact assessment.

The summary will outline:

1. Why Martyn's Law is being introduced
2. Which businesses will be affected?
3. What companies and individuals will be required to do by law
4. Who is responsible for the premises?
5. How WeAreWaterloo can help you

1. Why Martyn's Law is being introduced

Martyn's Law is being introduced as part of the government's response to the Manchester Arena Inquiry Volume 1 which recommended the introduction of legislation to improve the safety and security of public venues. The inquiry found:

- The existing crowded places model only covers 2% of crowded places.
- There is an inconsistent application of good practice and lack of corporate responsibility for putting security measures in place, for any type of an attack.
- It will reduce business insurance due to introducing new and enhancing existing security procedures

2. Which businesses will be affected?

To be a "qualifying public premises", the premises must be primarily used for one of the purposes below:

- Shop
- Food and drink
- Nightclubs (Inc. social club/dancehalls)
- Entertainment activities
- Sports ground
- Recreation, exercise or leisure
- Libraries, museums and galleries etc
- Exhibition halls etc
- Visitor attractions
- Hotels etc
- Places of worship
- Hospitals and Healthcare
- Bus stations, railway stations etc • Aerodromes
- Childcare
- Primary and secondary education • Further education
- Higher education
- Public authorities.

3. What companies and individuals will be required to do by law

The premises must be accessible to the public (or a section thereof), and have a public capacity of 100 or more individuals. This is known as the standard tier. Public premises with a public capacity of 800 or more individuals are part of the enhanced tier.

Standard Tier Requirements:

- Relevant workers must be provided with terrorism protection training in relation to the premises or event.
- Standard terrorism evaluation of the premises.
- The terrorism evaluation is reviewed regularly and when material changes occur.
- A copy of the current evaluation must be made available to each individual who works at the premises.
- Provide the regulator with a copy of the current evaluation of the request.

The standard tier that is over 100 and below 800 will not need a risk assessment. But it will be seen as good practice to have one in place. Premises with a capacity below 100 will not be subject to legislation but will be encouraged to adopt good practice.

Enhanced Tier Requirements:

- Relevant workers must be provided with terrorism protection training in relation to the premises or event.
- A risk assessment which must include:
 - reasonably practicable measures that might be expected to reduce the risk of acts of terrorism
 - reasonably practicable measures that might be expected to reduce the risk of physical harm to individuals
- Any other matters specified in regulations.

Requirements will be regulated by a national regulator with the power to:

- Issue penalties (Up to £18m or 5% of worldwide turnover for enhanced tier. Up to £10k for standard tier.)
- Issue improvement notices.
- Close premises and events.

4. Who is responsible for the premises?

- The Bill has not yet clarified who the responsible person is, it has said that the responsible person can be a Director or Manager.

- The person responsible can be a corporate body. But a person can be jointly responsible.

Enhanced qualifying premises and qualifying events that are over 800 in capacity will be required to have a Designated Senior Officer.

They will be responsible for:

- Coordinating the risk assessment of the premises or event.
- Coordinating the preparation and maintenance of the security plan in relation to the premise or event.
- Coordinating the response to any notice or other communication from the regulator to PR in relation to the premises or event.

5. How WeAreWaterloo Can Help

WeAreWaterloo will support local businesses by:

- Providing updates, interpretation, and expert guidance as the Bill comes forward
- Providing threat briefings and threat assessments.
- Supporting with necessary counter terrorism training
- Developing counter terrorism risk assessments, plans and evaluations of existing practises

For further information or questions, please contact karol@wearewaterloo.co.uk