

Martyn's Law: (The Terrorism Protection of Premises)

Martyn's Law continues its progress through the House of Lords and is anticipated to become law by mid-2025. As WeAreWaterloo continues to monitor its development, want to provide Waterloo businesses with an important update concerning its likely introduction.

First and foremost, we want to reassure you that compliance with this law should not cost your business anything. We expect to have the resources necessary to support your business and ensure it meets the requirements of this legislation.

It's also important to be aware that some organisations may attempt to profit from this process, even though the law has not yet been enacted. Rest assured, we are here to provide guidance and support and urge you to contact us with any concerns, to avoid incurring any unnecessary costs.

Martyn's Law has been designed to enhance protective security and organisational preparedness across the UK. For the first time, it will require those responsible for certain premises and events to take measures to reduce the risk of harm from acts of terrorism. By implementing these public protection measures, organisations will be better prepared to respond effectively to terrorist threats.

WHAT THIS WILL COVER:

- WHY– Why is Martyn's Law being introduced?
- WHO – What companies will be affected
- WHAT– What will companies and individuals be required to do?
- HOW– How it will be regulated and how WeAreWaterloo BID can help your business.

Why:

Martyn's Law was 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.

- There has never been any clarity regarding responsibility in the light of a terrorism attack.
- The crowded places model only covers 2% of crowded places.
- There is inconsistent application of good practice and corporate responsibility for putting security measures in place for any type of attack.
- Enforced security procedures in businesses should reduce the cost of insurance.. Rand Europe assessed the cost of terrorism to the United Kingdom from 2004 to 2016 and estimated it to be £43.7billion.

WHO – QUALIFYING PREMISES:

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

- Shops
- 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.

And be accessible to the public (or a section thereof), including only in part; and have a public capacity of 100 or more individuals

To be a qualifying public event, the event must satisfy the following conditions:

- It is to be held at premises which are not qualifying public premises.
- Those premises (or parts thereof) are accessible to the public, or a section of the public, for the purpose of attending the event.
- Access to the event by members of the public must be by express permission only (whether or not on payment). This implies control of entry and/or a physical boundary.

WHO – PERSON RESPONSIBLE:

- The person responsible is the person who has control of the premises.
- The Person Responsible for a qualifying public event is the person who has control of the premises at which the event is to be held in connection with their use for the event.
- The person responsible can be a corporate body. But a person can be jointly responsible.

WHO – DESIGNATED SENIOR OFFICER:

This only applies to the enhanced qualifying premises and qualifying events that are over 800 People.

The Designated Senior Officer is 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.

WHAT – TWO-TIER SYSTEM:

Below 100 will not be subject to legislation but will be encouraged to adopt good practice.

STANDARD TIER:

- Standard duty premises are qualifying public premises with a capacity of over 200 individuals.

TRAINING FOR STANDARD TIER:

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

ENHANCED TIER:

- Enhanced duty premises are qualifying public premises with a public capacity of 800 or more individuals.

Enhanced Tier - Terrorism Training:

- Relevant workers must be provided with terrorism protection training in relation to the premises or event.

Enhanced Tier – Terrorism Risk Assessment – to include:

- The reasonably practicable measures that might be expected to reduce the risk of acts of terrorism
- The reasonably practicable measures that might be expected to reduce the risk of physical harm to individuals
- Any Other Matters Specified In Regulations.

- HOW - REGULATION:

A NATIONAL REGULATOR WILL HAVE THE POWER TO:

- Issue penalties.
- Issue improvement notices.
- Close premises and events.
- Variable monetary penalties to remove any financial benefit of non-compliance. Up to £18m or 5% of worldwide turnover for enhanced tier. Up to £10k for the standard tier.

HOW – WEAREWATERLOO CAN HELP:

- Provide updates, interpretation, and expert guidance.
- Provide threat briefings and threat assessments.
- CT plans and evaluations.
- Develop CT risk assessments.