

**REPORT TO:** Housing and Safer Policy and Performance Board

**DATE:** 9<sup>th</sup> March 2026

**REPORTING OFFICER:** Executive Director Environment and Regeneration

**PORTFOLIO:** Community Safety

**SUBJECT:** Protect Duty (Protection of Premises Act)

**WARD(S)** Borough wide

## 1.0 **PURPOSE OF THE REPORT**

1.1 This report provides Members with an overview of the Protect Duty of the Protection of Premises Act and updates on Halton Borough Council's progress in preparing for compliance.

## 2.0 **RECOMMENDED: That the Board:**

- 1) endorses the continuation of work to progress towards compliance with the Protect Duty and the Protection of Premises Act requirements; and**
- 2) notes that progress will continue to be monitored and reported through the appropriate governance arrangements.**

## 3.0 **SUPPORTING INFORMATION**

3.1 Following Royal Assent on 3 April 2025, Martyn's Law is now established in legislation as the Terrorism (Protection of Premises) Act 2025. The Government has confirmed an implementation period of at least 24 months before legal requirements are enforced, with statutory guidance expected in Summer 2026. Enforcement is anticipated from 2027.

3.2 Based on the most recent Home Office and ProtectUK publications, the framework now clearly defines two legal tiers. The duty applies to in-scope premises and events, determined by capacity thresholds:

3.3 **Standard Tier** (200–799 people)  
Focuses on preparedness measures, including staff training, clear action plans for evacuation/lockdown, and basic situational readiness. No physical security alterations are required at this tier.

- 3.4 **Enhanced Tier** (800+ people or qualifying events)  
Requires both preparedness and proportionate protective security measures, informed by risk assessments. Enhanced events also include “qualifying events” expecting 800+ attendees, even if not held at an enhanced premises.
- 3.5 Premises fall within the scope of the act if they meet the criteria set out in the legislation, including being publicly accessible and used for one of the categories listed in schedule 1 (e.g., entertainment, retail, hospitality, education, leisure, healthcare, places of worship). Not all public buildings are automatically in scope; eligibility depends on the statutory criteria and the capacity thresholds.
- 3.6 The duty applies to the “responsible person”, defined as:
- the organisation/person with control of a premises, or
  - the organiser of a qualifying event (not necessarily the premises owner).

This is a critical change from earlier consultations: responsibility may fall on either party depending on control, not automatically the premises controller.

- 3.7 Core requirements specify while final statutory guidance is pending, the act specifies that responsible persons must:
- Ensure preparedness procedures are in place (evacuation, invacuation, lockdown).
  - Ensure staff awareness training (e.g., ACT Awareness).
  - Maintain communication and co-ordination plans.
  - For enhanced-tier premises/events, consider proportionate protective security measures, justified and documented via risk assessments.

While organisations should prepare, no compliance duties apply until the act formally comes into force following the implementation period and statutory guidance publication.

- 3.8 Governance and Oversight - a multi-service Protect Duty Working Group continues to meet quarterly to co-ordinate the Council’s approach. Membership includes Community Safety, Property Services, Emergency Planning, Leisure, Environmental Health, Health & Safety, Catering/Stadium, and Insurance. The group demonstrates cross-directorate engagement and Integration with Event Safety (HESAG) through a standing Protect agenda item.
- 3.9 Accountability will be maintained through internal audit reviews, annual compliance reporting to Corporate Management Team, and external scrutiny where required. The Council will also engage with regional resilience forums and national counter-terrorism networks to ensure alignment with best practice and evolving guidance.
- 3.10 A Designated Officer will be responsible for maintaining a central

compliance register, tracking actions, and ensuring that all relevant premises and events are assessed and monitored in accordance with the legislation.

3.11 Responsibility for ensuring compliance with Protection of Premises act in relation to public events will be embedded within the Council's existing Halton Events Safety Advisory Group (HESAG) arrangements. HESAG is chaired by the Council and comprises of representatives from emergency services and relevant stakeholders, will incorporate Protect Duty compliance as a standing agenda item. Event organisers will be required to demonstrate that appropriate risk assessments, staff training, and protective security measures are in place in line with the Act. The Protect Duty Compliance Officer will act as the Council's lead advisor on Martyn's Law within the SAG, ensuring that all qualifying events are scrutinised for compliance and that learning from events is captured and shared across the partnership.

3.12 **Progress to date**

3.13 Identification of buildings in scope – Property Services have supplied occupancy figures for all relevant Council buildings, forming the basis of scoping work to determine the resource required. All Council buildings and events are expected to require compliance, including community centres, markets and open-space sites.

3.14 Resource – it has been identified that a resource is required to lead and co-ordinate the Council's compliance activities, ensure that risk assessments and protection plans are developed for all relevant premises, provide specialist advice to services and third-party event organisers, and liaise with national agencies such as Counter Terrorism Policing and the Home Office. Recruitment for an Officer to temporarily take on additional duties to fulfil are underway anticipating this will support understanding and establishing necessary arrangements, as far as possible, requirements are absorbed as business as usual and informs future needs.

3.15 Development of Risk Assessment Templates - Leisure's Protect-aligned risk assessment template has been shared and will form the basis of a standardised corporate approach.

3.16 Engagement With Neighbouring Authorities – neighbouring local authorities have working groups in earlier stages of development.

3.17 Next Steps –

**Short-Term (next 3–6 months)**

- Finalise and circulate the Protect Duty scoping report.
- Confirm the Protect Duty Lead role and establish an ACT inbox for reporting vulnerabilities.
- Standardise hire agreements and incorporate Protect

responsibilities.

- Ensure representation is correct at the subgroup working group.
- Develop training pathways using ProtectUK and ACT e-learning.

3.18 **Medium-Term**

- Conduct building-level Protect risk assessments across all Council facilities.
- Develop a corporate Protect policy and implementation plan.
- Provide training/workshops for schools and community venues.
- Promote counter terrorism awareness campaigns to the public and staff.

3.19 **Long-Term**

- Secure sustainable funding for compliance measures.
- Embed counter-terrorism-aware design principles in all planning and development activities.
- Integrate Protect Duty responsibilities into job roles across key frontline services.

3.20 The Council has made strong early progress towards compliance with the Protect Duty through proactive governance, cross-service working, benchmarking, and early scoping work. Significant challenges remain, particularly around resourcing, the scale of assets in scope, and uncertainty in national guidance however, the foundations are in place.

4.0 **POLICY IMPLICATIONS**

4.1 The proposed action aligns with the Council's existing duties under the Civil Contingencies Act 2004 and national counter-terrorism strategy (CONTEST), particularly the "Protect" and "Prepare" strands.

4.2 It supports the Council's responsibilities under the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 in relation to public venues.

5.0 **FINANCIAL IMPLICATIONS**

5.1 Costs associated with the resource (additional duties for a lead office have been absorbed within the Community and Greenspace division.

5.2 Additional costs such as training and incident response equipment may be identified during implementation and will be subject to separate business case approval.

## 6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### 6.1 **Improving Health, Promoting Wellbeing and Supporting Greater Independence**

The work detailed in this report supports public safety and confidence, ensuring that venues are prepared to respond to incidents and safeguard the public.

### 6.2 **Building a Strong, Sustainable Local Economy**

By ensuring the safety of public venues and events, the Council can continue to support safe and thriving commercial and cultural environments.

### 6.3 **Supporting Children, Young People and Families**

The work detailed in this report will help ensure that public spaces and family-friendly events are secure and welcoming, particularly during periods of high footfall.

### 6.4 **Tackling Inequality and Helping Those Who Are Most In Need**

Protective measures will be applied equitably across the borough, ensuring all residents have access to safe spaces and events.

### 6.5 **Working Towards a Greener Future**

None.

### 6.6 **Valuing and Appreciating Halton and Our Community**

The role directly supports the protection of the public realm and enhances community confidence in the Council's ability to manage risks effectively.

## 7.0 **RISK ANALYSIS**

7.1 Final statutory guidance will not be published until Summer 2026, meaning that some requirements may change. This creates a risk of duplication of effort or the need to revise early work.

7.2 Delivering the Protect Duty across a large and diverse estate will require ongoing capacity for coordination, assessment, and training. Without dedicated resource, there is a risk of inconsistent or incomplete compliance.

7.3 Additional resources may emerge, including training, incident response equipment, and proportionate protective measures for enhanced tier premises. These may exceed initial expectations and require future funding bids.

7.4 Failure to prepare adequately ahead of enforcement in 2027 could lead to reputational harm, reduced public confidence, and potential regulatory action once the SIA begins formal oversight.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 None.

9.0 **CLIMATE CHANGE IMPLICATIONS**

9.1 None.

10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF  
THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.