

Enhanced tier

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Persons responsible for an enhanced tier premises or event, i.e. qualifying premises or event where it is reasonable to expect that more than 800 individuals may be present at the same time, will be required to:

- notify the Security Industry Authority (SIA) that they are responsible for the premises or event;
- have in place appropriate and reasonably practicable public protection procedures that could be expected to reduce the risk of physical harm being caused to individuals if an attack was to occur there or nearby
- have in place appropriate and reasonably practicable measures that could be expected to reduce both (i) the vulnerability of the premises or event to an act of terrorism occurring, and (ii) the risk of physical harm being caused to individuals if an attack was to occur there or nearby. For example, an enhanced duty premises will be required, insofar as reasonably practicable, to implement measures relating to the monitoring of the premises and their immediate vicinity;
- document the public protection procedures and measures in place, or proposed to put in place, and provide this document to the Security Industry Authority (SIA).

This document should include an assessment as to how those procedures and measures may be expected to reduce, so far as is reasonably practicable, vulnerability and/or risk of harm. Where the responsible person for enhanced duty premises or a qualifying event is not an individual, they must designate a senior individual with responsibility for ensuring that the relevant requirements are met.

Reasonably practicable

Reasonably practicable is a concept found in other regimes, such as Fire Safety and Health and Safety. In determining what is reasonably practicable, the responsible person will need to take into account their particular circumstances, including the nature of the premises and the resources available to them.

The particular procedures and measures put in place at one location may not be appropriate and reasonably practicable at another. For example, procedures will differ at a theatre that can reasonably expect to have no more than 900 people on the premises at any one time from a concert hall that can seat 20,000 people. Procedures should be tailored to the specific circumstances of the premises.

Link to: [Terrorism \(Protection of Premises\) Bill: Enhanced duty requirements factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674222/Terrorism_(Protection_of_Premises)_Bill_-_Enhanced_duty_requirements_factsheet.pdf)

Designated senior individual

Where the responsible person for an enhanced duty premises or event is not an individual, they must designate a senior individual. This individual must be someone who has responsibility for managing the affairs of the responsible person as a whole, such as a director or partner, rather than a lower-level employee.

The primary function of the senior individual is to ensure that the responsible person complies with the relevant legislative requirements with a wider objective of ensuring senior management are engaged in decision-making. They may delegate actions that relate to the requirements but cannot delegate their overall responsibility.

The senior individual will not be held accountable for an organisation's failure to meet requirements where they have done everything within their capability to ensure the organisation complies with requirements. Senior officers (including the senior individual) may be liable to prosecution under the Bill if their organisation commits an offence and it is proved that the offence was committed with their consent, connivance or occurred as a result of their neglect.

KEYWORDS

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