

**SHREWSBURY TOWN COUNCIL
POLICY & RESOURCES COMMITTEE
1 JUNE 2026**

Officer: Helen Ball (Town Clerk)

SIA S12 GUIDANCE CONSULTATION

Purpose of the Report

- (i) To update the Committee on the publication of S12 Guidance in relation to the Security Industry Authority's role as Regulator of the Terrorism (Protection of Premises) Act 2025;
- (ii) To agree the Town Council's Response to the consultation.

Background

The Terrorism (Protection of Premises) Act 2025 was enacted in May 2005. The legislation gave powers to the Home Office to write Statutory Guidance (Section 27) which was published in April. It also established the Security Industry Authority as Regulator of the Act and instructed the body to establish its own Statutory Guidance on how it would regulate the act. This was published in draft form in April this year. Consultation concludes on 9th June.

[Martyn's Law: the SIA's new regulatory role - GOV.UK](#)

Consultation Response

Terrorism (Protection of Premises) Act 2025 – Section 12 SIA Statutory Guidance (Draft)

General position

Shrewsbury Town Council (STC) supports the objectives of Martyn's Law and recognises the importance of improving public preparedness and protection against the threat of terrorism. The Council welcomes the publication of draft Section 12 guidance and the opportunity to comment at this formative stage.

Our response focuses on ensuring that the guidance:

- Is proportionate when applied to the local council sector
- Recognises the distinct governance, capacity and funding context of town, parish and community councils
- Supports practical compliance rather than deterrence of community activity
- Encourages partnership working rather than purely regulatory engagement

Question 1: Do you agree with the description of the SIA's statutory role and regulatory approach?

Response: Yes, with qualifications. STC broadly agrees with the description of the SIA's statutory role and welcomes the stated commitment to:

- Risk-based and intelligence-led regulation
- Proportionality, consistency and transparency
- Supporting compliance through guidance and advice ahead of enforcement

These principles are consistent with good regulatory practice and are essential if Martyn's Law is to command confidence across the local council sector.

However, STC considers that the guidance would benefit from explicit recognition that town, parish and community councils:

- Are statutory public bodies, not commercial operators
- Are often custodians of shared, multi-use community spaces
- Operate with very limited staff capacity and precept-based funding
- Frequently rely on volunteers and hirers to deliver activities

Without clearer acknowledgement of this context, there is a risk that the guidance will be interpreted or applied in ways that unintentionally disadvantage or penalise the local council sector.

Question 2: Is the proposed approach to receiving, assessing and sharing information appropriate?

Response: Broadly yes, but further clarity needed. STC agrees that the SIA requires wide powers to receive and assess information to effectively regulate compliance under the Act. We support the safeguards outlined in relation to:

- Data protection
- Proportionate use and retention of information
- Limited routine publication of sensitive material

However, we recommend that the guidance more clearly recognises local councils as both information holders and key partners, including:

- Their role within community safety partnerships
- Their local knowledge of public behaviour, events and facilities
- Their position as convenors between venue hirers, volunteers and businesses

The guidance should set clearer expectations around two-way information sharing, so that local councils are not solely viewed as subjects of regulation, but also as contributors to prevention and preparedness.

Question 3: Are the inspection and information-gathering powers set out clearly?

Response: Yes, but operational reassurance is required. STC accepts the necessity for the inspection and investigatory powers described, including information notices, interviews and powers of entry. The guidance is generally clear and thorough in setting out these powers and the associated safeguards.

That said, local councils have concerns about the practical application of these powers in relation to:

- Facilities managed by a clerk working part-time or for multiple councils
- Premises operated day-to-day by volunteers or trust committees
- Events delivered by third-party hirers under licence

STC recommends the guidance explicitly states that inspections will, wherever possible:

- Be co-ordinated with other regulatory regimes (e.g. licensing, fire safety)
- Take account of limited on-site management presence
- Minimise unnecessary disruption to community use

Question 4: Do you agree with the proposed approach to compliance decisions and compliance action?

Response: Yes. STC strongly supports the compliance-led model set out in Section 6 of the guidance, particularly:

- The emphasis on advice, guidance and warnings

- The focus on whether reasonable steps have been taken
- Recognition that compliance is contextual and site-specific

This approach is essential to ensuring that town, parish and community councils can continue to provide inclusive, accessible spaces without fear of disproportionate sanction.

We recommend that the final guidance includes illustrative examples relevant to the local council sector, such as:

- A parish-run village hall
- A town council-organised community event
- A shared public space with multiple responsible persons

Question 5: Are the enforcement powers and penalty framework appropriate?

Response: Significant concern from the local council sector. While STC recognises the need for credible enforcement powers, we are concerned about the potential impact of the financial penalty regime on local councils.

Town and parish councils:

- Are funded by a local precept on council tax
- Hold public funds in trust for their communities
- Often operate close to minimum viable budgets

Even modest financial penalties could therefore have disproportionate consequences, including reduced local services or closure of community facilities.

STC strongly recommends that the guidance explicitly states that where the responsible person is a local council, penalty decisions will take full account of:

- Public sector status
- Non-profit purpose
- Impact on community service provision
- Democratic accountability

Question 6: Are the review and appeal mechanisms adequate?

Response: Largely yes, but support will be required. STC welcomes the inclusion of internal reviews, representations and access to the First Tier Tribunal. However, we note that many local councils:

- Do not have in-house legal support
- Rely on clerks with broad generalist responsibilities

We therefore recommend that the SIA commits to providing plain-English explanatory material and signposting tailored to the local council sector to support fair access to these processes.

Question 7: Are there any gaps or unintended consequences?

Response: Yes. STC is concerned about the following potential unintended consequences if the guidance is not carefully applied:

1. Chilling effect on community events - Councils may become risk-averse and cancel low-risk events due to uncertainty or fear of enforcement.
2. Burden displacement - Responsibility may be shifted onto clerks and councils for activities primarily delivered by hirers or volunteers.
3. Capacity strain - Smaller councils may struggle to respond to regulatory engagement without additional guidance or support.

The guidance should clearly reinforce that Martyn's Law is about proportionate preparedness, not the elimination of community activity.

Concluding comments

STC supports the aims of the Terrorism (Protection of Premises) Act 2025 and welcomes the constructive tone of the draft Section 12 guidance. With further refinement to reflect the realities of the local council sector, the guidance can play an important role in supporting safer communities without undermining community life.

STC would welcome engagement with the SIA to ensure that implementation reflects the diversity, capacity and democratic role of town, parish and community councils.

RECOMMENDATIONS

(i) That the report be noted;

(ii) That the consultation response be approved.