

## **CABINET**

<b>DATE</b>	19 <sup>th</sup> October 2022
<b>REPORT OF</b>	Cllr. Stephen Harness, Portfolio Holder for Finance, Resources and Assets
<b>RESPONSIBLE OFFICER</b>	Joanne Hewson, Deputy Chief Executive and Executive Director for People, Health and Care
<b>SUBJECT</b>	Counter-Terrorism Legislation: Prevent Duty: Venue Hire and External Speaker Policy
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	CB 11/22/02

### **CONTRIBUTION TO OUR AIMS**

The matters for consideration within this report contribute to the strategic priorities of the Council to promote a stronger economy and stronger communities. This policy supports the North East Lincolnshire Outcomes Framework, namely that people in North East Lincolnshire, People:

- Enjoy good health & wellbeing
- Benefit from a strong local economy
- Live in a safe environment, can have their say about things that are important to them and participate fully in their communities
- Benefit from a green economy and high-quality environment

### **EXECUTIVE SUMMARY**

The Prevent Duty contained within sections 26 and 29 of the Counter-Terrorism and Security Act 2015 requires all specified authorities to have “due regard to the need to prevent people from being drawn into terrorism”.

The Home Office has recently introduced a requirement for Local Authorities to complete a self-assessment measuring themselves against ten benchmarks. Benchmark eight states that there is a requirement for a venue hire policy to be in place, to ensure that premises owned or leased by Local Authorities are not used by radicalising influencers.

Following the inaugural 2021/22 self-assessment, the Home Office acknowledged that the Local Authority were performing well in the majority of areas but identified that a Venue Hire policy needed to be developed in order to be compliant with benchmark eight. The Home Office continue to monitor progress against the self-assessment via Annual Reviews and where poor performance has been identified, reserve the right to take further enforcement action to ensure local authorities meet their statutory obligations.

## **RECOMMENDATIONS**

It is recommended that Cabinet:

1. Notes the legal obligation to have “due regard to the need to prevent people from being drawn into terrorism”. Including the requirement for a venue hire policy to be in place, to ensure that premises are not used by radicalising influencers.
2. Approves the adoption of the policy and instructs the Executive Director for People, Health and Care to so implement in consultation with the Portfolio Holder for Finance, Resources and Assets.

## **REASONS FOR DECISION**

The local authority requires a Venue Hire Policy to be approved in order to meet its statutory duties under sections 26 and 29 of the Counter-Terrorism and Security Act 2015.

### **1. BACKGROUND AND ISSUES**

#### **1.1 Introduction**

- 1.2 North East Lincolnshire Council is committed to creating an environment where everyone is treated with dignity and respect and where diversity is valued. This policy details the Council's approach to ensuring that it protects its staff and local communities whilst following its legal duties.
- 1.3 Section 26 of the Counter-Terrorism and Security Act 2015 places a Prevent duty on local authorities so that in the exercise of their functions, it must have “due regard to the need to prevent people from being drawn into terrorism”. This includes a statutory duty to ‘ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views’.

#### **1.4 Venue Hire and External Speaker Policy**

- 1.5 The Venue Hire and External Speaker Policy (appendix 1) sets out clear instructions for organising an event with external contribution or using one of the Council's venues including parks and open spaces.
- 1.6 External clients hiring any asset under the ownership or control of the Council including parks, open spaces and car parks, will be made aware of this policy and that the Council will not permit its accommodation to be let:
  - For purposes that are unlawful
  - For functions attended by people whose presence may cause civil unrest or division within the community
  - To an organisation or individual which has been banned by law

- 1.7 The Policy sets out that the hirer shall also not promote, or permit, the voicing of views in support of extremism, terrorism, radicalisation or any proscribed organisations. Neither shall they promote or allow the expression of extreme views about individuals who have one or more of the protected characteristics specified by the 2010 Equality Act.
- 1.8 The policy also states that the Council expects external speakers to act in accordance with the law and not to breach the lawful rights of others. The Council reserves the right to not permit an external speaker to speak at or attend an event, to refuse to permit an event and/or to halt an event at any time if it reasonably considers there may be a breach of this policy or of any legal obligation.
- 1.9 In addition when hiring a venue external to the Council, the Council has a duty to ensure that the setting is appropriate and that Council organisers, volunteers and any participants involved in the organisation of the event are protected from radical and extremist views. The external venue must not allow its premises to be used by those whose views would draw people into terrorism.

## **2. RISKS AND OPPORTUNITIES**

- 2.1 There is significant reputational risk to the local authority in the absence of a Venue Hire and External Speaker Policy which could have wider repercussions within our local communities if a venue or public space is hired out without appropriate checks and measures. This policy will put in place safeguards and ensure the Council does breach its statutory obligations.

## **3. OTHER OPTIONS CONSIDERED**

- 3.1 No other options have been considered as a Venue Hire Policy is a requirement as part of the Home Office Assessment benchmarking tool. Appropriate training will be given for those responsible for making decisions around venue hire.

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 If a council owned venue is used by a person or group to promote, or permit, the voicing of views in support of extremism, terrorism, radicalisation or any proscribed organisations this could cause or pose a significant reputational risk to the Council and lead to a rise in community tensions.
- 4.2 Having a policy in place will mitigate this risk.

## **5. FINANCIAL CONSIDERATIONS**

- 5.1 There are no additional financial costs attributed to this policy if approved.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 6.1 The risk to young people being radicalised remains a threat in North East Lincolnshire as it does nationally. Wider work to prevent Young People becoming radicalised takes place via the North East Lincolnshire Multi-Agency Prevent Partnership chaired by the Council's Assistant Director for Safer & Partnerships. Having a Policy which prevents radical groups and speakers from utilising local Council owned buildings and spaces will mitigate the risk of children being enticed into any face to face activity.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 7.1 None

## **8. CONSULTATION WITH SCRUTINY**

- 8.1 None

## **9. FINANCIAL IMPLICATIONS**

- 9.1 There are no significant financial implications arising from the recommendation to approve the policy.

## **10. LEGAL IMPLICATIONS**

- 10.1 The legal implications and statutory obligations are covered in the above report. Clearly the adoption of the policy will ensure that the Council remains compliant with its obligations and enable it to manage its assets having regard to the wider Prevent Duty
- 10.2 The Portfolio Holder for Finance, Resources and Assets retains the constitutional authority to make any future amends or modifications to the policy from time to time.

## **11. HUMAN RESOURCES IMPLICATIONS**

- 11.1 There are no direct HR implications contained within this report

## **12. WARD IMPLICATIONS**

- 12.1 Affects all wards

## **13. BACKGROUND PAPERS**

- 13.1 Venue hire and external speaker policy (appendix 1)

## **14. CONTACT OFFICER(S)**

- 14.1 Spencer Hunt, Assistant Director, Safer & Partnerships
- 14.2 Victoria Henley, Community Safety Officer, NEL Community Safety Partnership.

**Cllr. Stephen Harness. Portfolio Holder for Finance, Resources and Assets**

## Appendix 1

Title:	Venue hire and external speaker policy
Approved by:	
Issue Date:	
Version No:	V1.0
Review Date:	

# Venue Hire and External Speaker Policy

## 1. Introduction

North East Lincolnshire Council is committed to creating an environment where everyone is treated with dignity and respect and where diversity is valued.

This policy details the Council's approach to ensuring that we protect our staff and our community whilst following legislation that we are responsible for upholding.

## 2. Legal Context

Local authorities operate in a complex legal environment so it is vital that all individuals involved in the venue hire and external speaker process, including the speakers themselves, understand the legal framework and context that governs this area.

The Council has a statutory duty to *‘ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views’*.

Section 26 of the Counter-Terrorism and Security Act 2015 places a Prevent Duty on local authorities so that in the exercise of our functions, we must have “due regard to the need to prevent people from being drawn into terrorism”.

Examples of some of the relevant areas of law are given below.

- Private rights – people are entitled to protection from harassment, defamation and unlawful breach of their human rights, as well as from unfair treatment under equality law, health and safety law and data protection
- Criminal law – hate crimes, harassment and breach of the peace and terrorism all come under criminal law
- Public law – freedom of speech and some duties under the Equality Act are captured under public law

## 3. Objectives

The objectives of this policy are:

- To provide an environment where freedom of expression and speech are protected whilst balanced with the need to ensure that our community is free from harm and that incitement to hatred is never acceptable
- To provide a supportive, inclusive and safe environment for staff and the community
- To provide clearly defined and effective procedures to ensure that the law is upheld
- To provide clear instructions for organising an event with external contribution or using one of the Council's venues

## **4. Training**

All staff who engage with the public should understand what radicalisation means and why people may be vulnerable to being drawn into terrorism as a consequence of it. They need to be aware of what is meant by “extremism” and the relationship between extremism and terrorism. There is a requirement that staff know what measures and support are available to prevent people from becoming drawn into terrorism and how to make appropriate referrals where there is cause for concern. All specified authorities subject to the duty are required to ensure they provide appropriate training for staff involved in the implementation of this duty.

It is a mandatory requirement for all new starters to complete the Understanding the PREVENT strategy online course as part of their induction but we also recommend that everyone undertakes a refresher every two years. The training can be accessed here [Home | NE Lincs Council \(learn-nel.com\)](https://www.learn-nel.com/)

There are also two additional Home Office e-learning courses for more in-depth understanding, one on how to deal with concerns and make referrals, and one for anyone who may be asked to attend a Channel Panel. Managers and team leaders must ensure that all staff have relevant and appropriate training in Prevent.

We also mandate that building managers or those with building responsibility complete the counter terrorism (CT) awareness training and identify suitable members of staff to also complete it, the training can be accessed here. <https://ct.highfieldlearning.com/>

## **5. Hiring an External Venue**

The Council has a duty to ensure that when hiring an external venue for events that Council organisers, volunteers and any participants involved in the organisation of the event are protected from radical and extremist views.

The external venue must not provide a platform for extremists and must not be used to disseminate extremist views. The external venue must not allow its premises to be used by those whose views would draw people into terrorism.

## **6. North East Lincolnshire Council Venue Hire**

External clients hiring any asset under the ownership or control of the Council including parks, open spaces and car parks, will be made aware of this policy and that the Council will not permit its accommodation to be let:

- for purposes which are unlawful

- for functions attended by people whose presence may cause civil unrest or division within the community
- to an organisation or individual which has been banned by law

The hirer undertakes to uphold fundamental British values as defined within the Prevent Strategy [Prevent-Strategy](#) and will not seek to express or allow any individual in their organisation to express radical or extremist views.

The fundamental British Values are defined as:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect and tolerance of different faiths and beliefs

The hirer shall also not promote, or permit, the voicing of views in support of extremism, terrorism, radicalisation or any proscribed organisations. Neither shall they promote or allow the expression of extreme views about individuals who have one or more of the protected characteristics specified by the 2010 Equality Act.

The Council reserves the right to cancel any booking where it considers:

- such events may be contrary to the interest of the general public or contrary to any law or act of Parliament
- bookings may also be subject to consideration from the police to ensure the safety of the community is assessed against the request for a venue booking
- users of the premises may do something that may cause or pose a risk of loss, damage or significant expense to the Council or harm the reputation of the Council

North East Lincolnshire Council is committed to creating a community which is safe and inclusive, where facilities and activities are available to diverse groups of people having access to similar life opportunities, knowing their rights and responsibilities and where local institutions act fairly.

To this purpose, no individuals or groups will be denied the opportunity for access to local authority managed properties unless there is a justifiable reason to do so within the spirit of this policy.

When Council officers are accepting bookings they must use the advice and good practice for venues guidelines and follow each step to ensure that all bookings comply.

## **7. External Speakers**

The Council expects external speakers to act in accordance with the law and not to breach the lawful rights of others.

Set out below are the Council's expectations. Please note that this is not an exhaustive list of unacceptable conduct by external speakers.



The Council reserves the right to not permit an external speaker to speak at or attend an event, to refuse to permit an event and/or to halt an event at any time if it reasonably considers there may be a breach of this policy or of any legal obligation.

During the course of the event at which he or she participates the speaker must not:

- act in breach of criminal law
- incite hatred or violence or any breach of criminal law
- encourage or promote any acts of terrorism or promote individuals, groups or organisations that support terrorism
- spread hatred and intolerance
- discriminate against or harass any person or group on the grounds of a protected characteristic as set out by the Equality Act 2010
- defame any person or organisation

## 8. Evacuation

It is recommended that building managers assess the threat of a terror attack and establish evacuation procedures as part of their health and safety strategy.

The National Counter-Terrorism Security Office have produced specific advice to help mitigate the threat of a terrorist attack in a crowded place.

<https://www.gov.uk/government/publications/crowded-places-guidance>

The key message for the public is 'Run, Hide, Tell':

- **Run** - to a place of safety. This is a far better option than to surrender or negotiate. If there's nowhere to go, then...
- **Hide** - it's better to hide than to confront. Remember to turn your phone to silent and turn off vibrate. Barricade yourself in if you can. Then finally, and only when it is safe to do so ...
- **Tell** - the police by calling 999

For site specific advice relating to your premises email [ctuleeds.ctsa@westyorkshire.pnn.police.uk](mailto:ctuleeds.ctsa@westyorkshire.pnn.police.uk) or use the non-emergency police telephone number 101.

There is also general guidance produced by the HSE for planning for incidents and emergencies <https://www.hse.gov.uk/event-safety/incidents-and-emergencies.htm>

## 9. Policy Review

This policy will be reviewed annually by the Prevent Lead unless there are internal or legislative changes that necessitates an earlier review.

## 10. Protect Duty

The Protect Duty looks to ensure venues have robust policies and procedures in place to ensure that if an incident occurred, staff would know how to respond. The proposal is that spaces and places to which the public have access

- engage with freely available counter-terrorism advice and training;
- conduct vulnerability assessments of their operating places and spaces;
- mitigate the risks created by the vulnerabilities;
- put in place have a counter-terrorism plan;
- and a requirement for local authorities to plan for the threat of terrorism.

The Protect Duty was confirmed in the Queen's Speech May 2022, setting out the Government's planned legislative programme.

### **Advice and good practice for venues**

Follow the steps below to mitigate the risk of undesirable bookings. This document is not a definitive list and should be used in conjunction with other checking mechanisms.

#### **Ask**

##### **What is planned and who is planning it?**

1. Who is the individual or organisation booking the event?
  - ask for their name and any associated names they operate under
  - ask for their address and a phone number
  - get details of the individual or organisation's website and associated websites
2. Do they implement a policy that promotes equality and diversity and challenges all forms of discrimination? Or will they agree to their event subscribing to your equality and diversity policy?
3. Ask for details of the event including: theme; title; agenda; content; speakers; expected audience numbers and demographics; details of how the event will be promoted (ask for copies of flyers/ posters etc.); is the event open to the public or ticket only?

#### **Check**

##### **Undertake due diligence to confirm what you have been told and find out more.**

1. Run a check on the individual/organisation/speakers by:

- viewing their websites, articles or speeches
  - considering what other people are saying about them (articles/blogs etc.)
2. Ask for a reference from a venue provider previously used by the individual/organisation.
  3. If the booking is for a charity, check the charity number of the organisation with the Charity Commission at **charitycommission.gov.uk**

## **Decide**

Do you let the event go ahead?

Or take action to reduce the risks?

Use the information collected to inform your decision.

## **Tips when taking bookings**

- if the booking is being arranged by an event management or another company, make sure you know who their client is
- be wary of individuals only giving mobile numbers
- if enquiries are made about internet use and bandwidth, investigate whether any speakers are participating in the event remotely
- be wary of individuals/organisations making large cash payments
- ensure that in the event of reputational risk to your organisation you have the ability to withdraw from the contract.

## **Tips when researching online**

- complete a thorough check on the individual/organisation by:
  - viewing their website(s)
  - looking at what other people are saying about them (articles/blogs etc)
- complete a thorough check on any speakers by looking at what other people are saying about them (articles/blogs etc)
- when you are looking at a website check if it's being kept up-to-date
- if you are unsure about an organisation check if it has a landline number and business address
- where possible use primary evidence - an organisation's manifesto or a person speaking on YouTube.

## More information

List of terrorist groups or organisations banned under UK law

<https://www.gov.uk/government/publications/proscribed-terror-groups-ororganisations>

The Charity Commission

<https://www.gov.uk/government/organisations/charity-commission>

If you still have a concern about a booking you can contact

In case of an emergency dial **999**.

To report suspicious activity call the Anti-Terrorist Hotline anonymously on **0800 789 321**.

# Advisory Guidance for External Speaker Booking at Venues

Name of Speaker/Organisation.....

Address.....

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Post Code.....

Tel:.....Mob:.....

email.....

Identity of speaker confirmed, if yes how? .....

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Date & Time of suggested event .....

Venue Location.....

Is their organisation legitimate? if yes how known?

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Are they known to your organisation?

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Is the speaker from the local area?

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Are they UK citizens or from overseas?

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Are they travelling specifically for this event?

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**Open Source Internet Checks Completed**

**Search Engine** Yes / No

**LinkedIn** Yes / No

**Facebook** Yes / No

**Twitter** Yes / No

**Instagram** Yes / No

**Other Online Checks** Yes / No (detail below)

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Any concerns as a result of open source searches?

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**How many people are predicted or likely to attend (check previous or similar events locally or online)?**

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**What is the topic of the event & how is it being advertised? Is it aimed at a local audience or a regional/national level?**

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**Has the topic (not necessarily the speaker) been met with any criticism locally or in the national media?**

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**Why has your venue been chosen for this event? (capacity, local interest or other)**

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**Are the event organisers requesting special conditions such as a closed meeting, tickets or segregation?**

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**Has any pressure been undertaken by any person to run or not run this event?**

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**Is there any community pressure to run the event? (or any objections)**

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**Does the speaker or members of the organisation they represent have a reputation for causing disruption at venues?**

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**Are there likely to be any health and safety or public disorder issues that may occur as a result of this event being staged?**

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**Do you have the local police & relevant partners contact details if you have concerns regarding the speaker/event (NPT / Prevent Team etc.)**

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**Are there any reputational risks to the venue/organisation by hosting this event?**

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**Will the event be supervised by venue staff and/or will the speaker agree to abide by any specific venue conditions of access?**

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**Is the speaker requesting access to IT / Internet, if so what provisions are in place to safeguard the venue and attendees from individuals who have not been vetted/researched using Skype or similar platforms to gain access to the audience?**

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**Are there any local or national community tensions or current issues which may have a bearing on the event?**

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**Any other considerations/concerns apparent?**

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**Event Approved Yes / No**

**Checklist Completed by: .....**