HM Government

Crowded Places:
The Planning System and
Counter-Terrorism

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Chapter 1   Introduction

1.01 The UK faces a significant threat from international terrorism[1], and an attack could take place without warning. Crowded places are and will remain an attractive target for international terrorists who have demonstrated that they are likely to target places which are easily accessible and which offer the prospect for an impact beyond the loss of life alone. The current assessed threat level to the UK can be found on the MI5 website[2]. CONTEST sets out the Government's strategy for countering terrorism. An important element of the strategy is to create safer places and buildings that are less vulnerable to terrorist attack and, should they be attacked, where people are better protected from the consequences of the attack.

1.02 Designing-out crime and designing-in community safety are already central considerations in planning development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can prevent crime and disorder. Crime for these purposes includes terrorism, and good counter-terrorism protective security is also good crime prevention.

1.03 This guide supplements *'Safer Places: The Planning System and Crime Prevention'*[3].Local planning authorities must have regard to this guidance when preparing local development documents and the guidance is capable of being a material consideration in the determination of planning applications. The guide does not however set out new policy or specific legal requirements. It provides advice on how counter-terrorism protective security measures can be incorporated into new developments whilst ensuring that they are of high design quality. Although primarily directed at new development, the advice is also relevant to improving the security of existing buildings and the public realm. It

should be noted that Building Regulations do not include specific measures intended to deal with terrorist activity and therefore compliance with Building Regulations should not be assumed to indicate consideration of the issues raised in this guide.

What is a crowded place?

1.04 A crowded place is a location or environment to which members of the public have access that may be considered potentially liable to terrorist attack by virtue of its crowd density. What counts as a crowded place is a matter of judgment. Crowded places will be found in a wide range of locations including: sports stadia, pubs, clubs, bars, shopping centres, high streets, visitor attractions, cinemas, theatres and commercial centres. Crowded places can also include the public realm - open spaces such as parks and squares. A crowded place will not necessarily be crowded at all times – crowd densities may vary during the day or night, and may be temporary, as in the case of sporting events or open air festivals.

What other guidance is available?

1.05 The National Counter-Terrorism Security Office (NaCTSO)[4] has published a series of targeted counter-terrorism protective security guidance booklets for the crowded places sectors and links to the documents can be found on their website[5].

1.06 Information about the counter-terrorism risk assessment process, the role of police Counter-Terrorism Security Advisers (CTSAs)[6] and the contributions local key stakeholders can make to reduce the vulnerability of crowded places at higher risk can be found in *'Working Together to Protect Crowded Places'*[7]. Information about counter-terrorism design and technical issues can be found in *'Protecting Crowded Places: Design and Technical Issues'*[8].

1.07 Specific requirements are in place for transport facilities, such as airports, railways and ports, some of which are legally binding. The Transport Security Directorate (TRANSEC) in the Department for Transport can provide further information. Details can be found on the DfT website[9]. Schools already address counter-terrorism within their broader security and emergency planning work.

Chapter 2   Counter-terrorism and good design

2.01 This section provides advice on the matters that are taken into account when considering the risk of terrorist attack, the proportionate response to that risk and how best to integrate counter-terrorism protective security measures as part of good urban design.

Guiding principles

2.02 The Government's aim in promoting counter-terrorism design principles is to create safer places and buildings so that people are better protected from terrorist attack. This is to be achieved within the context of Government's overall aim to create high quality places that work for everyone in line with the principles set out in *'World Class Places'*, the Government's strategy on quality of place. This means that counter-terrorism measures should not be designed in isolation – they should contribute towards creating places that have a good range and mix of homes, services and amenities, that are well designed and maintained, that have high quality green spaces and that are sensitive to their surroundings[10].

2.03 As with any design considerations, it is most effective if counter-terrorism protective security measures are considered as early as possible in the planning and development process. This does not just mean at pre-application stage – it means from the point that any local policy is developed and developers consider acquiring land or consider any remodelling of existing buildings. It is particularly important that developers factor in likely protective security measures early because, based on the 'user pays' principle, their cost falls where the responsibility for those measures lies. As the level of risk varies, counter-terrorism protective security measures should be proportionate to the risk of terrorist attack to which the building or place is exposed.

Assessing risk

2.04 Assessments of risk are based on the threat of terrorist attack, the vulnerability in the event of a terrorist attack and the impact if it should occur. A local police Counter-Terrorism Security Adviser (CTSA) makes this assessment in their area using guidance issued jointly by the Home Office and NaCTSO. This ensures a standard approach is taken across the UK. The four levels describing the severity of the risk of a terrorist attack are described in Figure 1 below.

Figure 1. The four levels of risk of terrorist attack

High	This risk is the one which generates the highest concern. Comprehensive action is required as a high priority to reduce vulnerability, wherever possible and proportionate.
Medium-High	The consequences of the risk materialising would be substantial. Action is required as a priority to mitigate the risk, wherever possible and proportionate.
Medium	The risk is not substantial and can be managed via contingency plans. Status of risk should be monitored regularly.
Low	The risk should be addressed if possible and contingency plans are required. This risk should be managed at local level.

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Counter-terrorism design principles

2.05 The local CTSA will advise prospective applicants on a range of measures, proportionate to the level of risk. Measures will aim to:

- **Deter** a would-be terrorist – by providing physical and electronic security measures, coupled with good management practices;

- **Detect** an intrusion – by providing alarm and visual detection systems with verification; and

- **Delay** an intrusion for a sufficient period of time to allow a response force to attend - by putting in place physical security measures.

2.06 Typical measures that help to deter, detect and delay a terrorist attack are set out in Table 1 below. They are grouped under four key counter-terrorism design principles: better blast resistance; better building management facilities; better traffic management and hostile vehicle mitigation measures; and better oversight.

Table 1: Typical counter-terrorism protective security measures

Counter-terrorism design principles	Examples of measures
Better blast resistance	• external barriers or a strengthened perimeter to prevent a penetrative or close proximity attack; and • use of building materials which reduce the risk of fragmentation including blast resistant glazing and structural design which reduces the risk of building collapse.
Better building management facilities	• entrance arrangements which resist hostile entry; • the separation of general heating, ventilation and air conditioning systems for entrance areas, delivery areas and mailrooms from those occupying the main occupied spaces; • air intakes that are in a secure area and above first floor level; and • hazardous material stores that are at a safe distance from the building.
Better traffic management and hostile vehicle mitigation measures	• measures that prevent access to or close proximity of unscreened vehicles to the building or space; and • measures that reduce the speed of vehicles approaching the site or its defences, like bends or chicanes.
Better oversight	• clear lines of sight around a building; • absence of recesses on the façade or elevations of a building; • uncluttered street furniture; • well maintained and managed litter-free building surrounds that reduce the opportunity for suspicious hidden items and suspect activity to go unnoticed; • CCTV and security guarding to provide formal oversight; • orientating the building so that it overlooks public space and neighbouring buildings to support informal oversight by those who use and visit the location; and • well-managed access points and reception facilities that offer less opportunity for intruders to go undetected and may deter them from taking further action.

2.07 In general, the more that a potential improvised explosive device can be separated from a building, the less critical a building's form and fabric becomes.

2.08 It is often difficult to assess the blast resistance of an historic building and even more difficult to improve it by reinforcement.

Counter-terrorism measures often therefore involve physical measures such as restricted access or better oversight. Where it is necessary to prevent vehicles from getting close proximity, care needs to be taken where there are historic ground surfaces. If there is valuable underground archaeology, heavy stone blocks or planters

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keyed appropriately into the surface will often be a better solution than bollards. In especially sensitive locations, it may be better to prevent uncontrolled vehicular access to the surrounding streets completely, displacing the traffic management works to a less sensitive location.

2.09 Each site is clearly different and there is no "one size fits all" solution. Different sites present unique challenges and considerations that will often require bespoke solutions. For more information on counter-terrorism protective security measures and some real-life case studies that have successfully designed-in such measures and created great buildings and places can be found in *'Protecting Crowded Places: Design and Technical Issues'*[11].

Integrating counter-terrorism into the public realm

2.10 Physical measures may be useful in the wider area as part of a range of measures necessary to provide satisfactory protection for a particular building. This is to help ensure that there is not a concentration of vehicle restrictions or displacement and streets and spaces are not unnecessarily congested with security infrastructure. Physical measures can also usefully be incorporated into the public realm as part of any general environmental improvements, particularly as most measures will also benefit crime prevention.

2.11 Measures could include street design that limits unscreened vehicular access to vulnerable target areas or structures, measures that monitor public safety or a visible security presence. The design of the measures will need to take into account the impact on transport and pedestrian movement around an area; the needs of key stakeholders and people that live, work and visit a place or building, including the needs of disabled people[12][13]; the need for measures to be unobtrusive; and any impacts on the historic environment (see also paragraphs 2.08, 3.11 and 3.12).

On-going management and maintenance of counter-terrorism protective security measures

2.12 Counter-terrorism protective security measures may require on-going maintenance to remain effective and to ensure that the quality of what was designed at the outset remains attractive and functional. These on-going costs need to be borne in mind when deciding which measures are most appropriate and deliverable over the life-time of the building or space. For more complex schemes a management and maintenance plan can be useful to provide a framework for periodic review of need and appropriateness of the measures, and for periodic checking of integrity and scheduled maintenance.

2.13 In addition to formal measures, informal measures and oversight can be provided in a range of ways, for example:

- by putting trained staff into spaces - park rangers for larger spaces and on-site maintenance for smaller spaces can provide effective oversight that is flexible and responsive. In addition, a wide range of services within the space like interaction with the community, locking up, checking for damage and maintenance tasks will also help; and

- by local stakeholders working together e.g. local community groups managing spaces or using spaces for community events and activities.

Chapter 3 Counter-terrorism and the planning process

Plan making

3.01 Local planning authorities, with the police and other partners, should work to ensure that an appropriate local strategy is in place to guide proposals for higher risk buildings and spaces where they exist. Chapter 2 of '*Safer Places: The Planning System and Crime Prevention*'[14] provides detailed advice on how local planning authorities, the police, local partners and developers can work effectively together, and this advice is equally relevant when considering counter-terrorism measures.

Development management

3.02 Pre-application discussions between prospective applicants and the local CTSA are vital to ensure that the applicant is aware right at the beginning of the design process of the level of risk and the sorts of measures available to mitigate this risk in a proportionate and well-designed manner. Where the development has an impact on the historic environment, then early contact with English Heritage is recommended too.

3.03 There may be a number of risks in any given development or place and they may be assessed at any of the four levels (see Figure 1 in Chapter 2). The local CTSA will distinguish between those measures needed to mitigate risk in the two highest risk severity categories (i.e. high and medium-high) and those in the lower two categories (i.e. medium and low). The local CTSA, and in some cases other specialist advisers, will advise applicants on specific counter-terrorism protective security measures that would mitigate the level of risk they have identified. Any measures, contingency plans and monitoring arrangements that the local CTSA advises will be proportionate to the risk posed and any implications on business and local authorities will be kept to a minimum[15].

3.04 Ideally, applicants and the local CTSA should come to an agreement on how best to mitigate identified risks, taking into account the cost of different measures, and the impact on the function and design of the building or place. Where the local CTSA is satisfied with the proposed design, they will support the planning application.

3.05 Where the level of risk falls within the two higher categories and the local CTSA is not satisfied with the measures that are proposed, the local CTSA is likely to object to the planning application, setting out the measures that they believe need to be incorporated. When determining the planning application, the local planning authority will need to consider whether or not the additional measures recommended by the local CSTA can be appropriately achieved through the planning system. Where particular measures are considered appropriate, the local planning authority should then consider whether these measures are:

- proportionate, taking into account, for example, whether there are particular operational or other reasons why full compliance has not been considered possible; and

- balanced with other relevant material considerations.

3.06 If the local planning authority considers that particular measures are appropriate, proportionate and balanced with other material considerations they may refuse the application or impose a planning condition that requires these measures to be put in place.

3.07 Where the risk assessments fall within the two lower categories, the local CTSA will provide the applicant with advice as to how to mitigate these risks. This advice will recognise that implementation, whilst desirable, will not be the highest priority given the lower risk assessment.

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The local CTSA will not however object to the planning application if the proposed measures are not incorporated.

3.08 A Section 106 (of the Town and Country Planning Act 1990) agreement can require a management and maintenance plan where the local planning authority considers it necessary. This could include the circumstances where measures can be removed when they are no longer required. Where security infrastructure is to be located on the public highway, Section 278 (of the Highways Act 1980) agreements may be considered necessary. Such agreements ensure that the Highway Authority is able to retain full control over the public highway whilst the security measures are in place. Both of these agreements can be used to ensure that the whole-life cost of installation, management and maintenance are met by the beneficiaries of the security measures.

Sensitivity in planning applications

3.09 Where applications have been certified by the local CTSA (or the Centre for the Protection of National Infrastructure) there is no need to request that the applicant provides details of the counter-terrorism protective security measures that have been incorporated into the design.

3.10 Where the local CTSA wishes to maintain an objection, then the applicant will need to indicate the measures that they are proposing to put in place. In these circumstances it is good practice for the applicant to discuss with the local planning authority what level of detail should be included in the application. The local planning authority can keep the security information separate from the main Planning Register, making it available to enquirers only after specific request[16]. The detailed procedure is set out in a letter from Department for Communities and Local Government (CLG) dated 24 May 2007 to Chief Planning Officers[17].

Historic environment

3.11 Counter-terrorism protective security measures have two key impacts on the historic environment: visual and physical. For temporary works, minimising physical impact is more important and reversibility is a key principle. However, for more permanent measures, both visual and physical impact are important. In conservation areas, World Heritage Sites, sites within the setting of listed buildings or scheduled monuments and registered parks and gardens, the impact on character and on historic fabric, including ground surfaces and underground archaeology needs to be considered. Where historic burials are anticipated, special precautions and appropriate consent[18] may be necessary. Works within the curtilage of a listed building or involving the building itself may also require listed building consent.

3.12 Technology, such as CCTV cameras, need sensitive positioning to minimise visual and physical impact. 'Technology' generally has a limited life and work to accommodate it needs to be completely reversible. Applications for planning permission and/or listed building consent therefore need to be accompanied by detailed plans, for example, specifying methods of fixing where works affect the historic fabric.

Annex A: Sources of counter-terrorism advice

National Counter-Terrorism Security Office

The National Counter Terrorism Security Office (NaCTSO)[19] is a police unit that provides advice on counter-terrorism protective security and business continuity. NaCTSO trains, tasks and coordinates a nationwide network of specialist police advisers known as Counter-Terrorism Security Advisers (CTSAs). The primary role of these advisers is to provide help, advice and guidance on all aspects of counter-terrorism protective security across a variety of business sectors. There is at least one CTSA in every police force in the UK. The core role of the CTSA is to identify and assess local critical sites within their force area that might be vulnerable to terrorist or extremist attack, then to devise and develop appropriate protective security plans to minimise impact on that site and the surrounding community.

Centre for the Protection of National Infrastructure

The Centre for the Protection of National Infrastructure (CPNI)[20] is a Government authority which provides protective security advice to businesses and organisations across the national infrastructure (delivered by the communications, emergency services, energy, finance, food, government, health, transport and water sectors). CPNI sponsors the Register of Security Engineers and Specialists (RSES) who have met professional competence standards as determined by the Institution of Civil Engineers. Organisations on the Register can be engaged to provide costed protective security advice or to develop or comment on other advice received from CTSAs[21].

Architectural Liaison Officers/Crime Prevention Design Advisers

Police Architectural Liaison Units provide crime risk management and "Crime Prevention through Environmental Design" advice within their police force area in order to reduce opportunities for crime and disorder. Local arrangements are in place whereby local planning authorities consult on relevant planning applications. The Architectural Liaison Officer / Crime Prevention Design Adviser will notify their policy force CTSA if there is a counter-terrorism protective security dimension that warrants more detailed scrutiny.

End notes

1. Section 1 of The Terrorism Act 2000 defines terrorism as:

"The use or threat of a specified action where the use or threat is designed to influence the government or to intimidate the public or a section of the public, and the use or threat is made for the purpose of advancing a political, religious or ideological cause. The action is a specified action if it involves serious violence against a person; involves serious damage to property; endangers a person's life, other than the person committing the action; creates a serious risk to the health or safety of the public or a section of the public; or is designed seriously to interfere with or disrupt an electronic system."

2. www.MI5.gov.uk

3. www.communities.gov.uk/publications/planning_and_building/saferplaces

4. See Annex A for further information on the role of NaCTSO.

5. www.nactso.gov.uk

6. See also Annex A for further information on the role of CTSAs.

7. *'Working Together to Protect Crowded Places'* published by the Home Office can be found at: www.security.homeoffice.gov.uk

8. *'Protecting Crowded Places: Design and Technical Issues'* jointly published by the Home Office, the Centre for the Protection of National Infrastructure (CPNI) and the National Counter-Terrorism Security Office (NaCTSO) can be found at: www.security.homeoffice.gov.uk

9. www.dft.gov.uk

10. See page 12, *World Class Places* – May 2009: www.communities.gov.uk/documents/planningandbuilding/pdf/1229344.pdf

11. See: www.security.homeoffice.gov.uk

12. Where counter-terrorism measures are being integrated into predominantly residential streets, refer to *'Manual for Streets'* (Department for Transport 2007) and the accompanying *'Inclusive Mobility'* document for further guidance on designing accessible environments.

13. Accommodating the requirement to make reasonable provision for disabled people to gain access to and use the building, as described in Part M of the Building Regulations, such as vehicle setting down points, will be necessary. The Disability and Discrimination Act 1995 was significantly extended by the Disability and Discrimination Act 2005. In the context of planning/designing buildings it requires that accessibility issues are considered for disabled people, in particular their rights in the area of access to goods, facilities and services, including large private clubs and transport services.

14 See: www.communities.gov.uk/publications/planning_and_building/saferplaces

15. Guidance is issued by NaCTSO to CTSAs on how they communicate their advice and recommendations to local planning authorities and developers to ensure that CTSAs advice is consistent and communicated with clarity.

16. See: www.communities.gov.uk/publications/planningandbuilding/lettersensitiveinformation

17. See paragraphs 24 and 25 of the Memorandum to CLG Circular 02/2006 Crown Application of the Planning Acts:
www.communities.gov.uk/publications/planningandbuilding/circularcommunities

18. For example, under the Town and Country Planning (Churches, Places of Religious Worship and Burial Gounds) Regulations 1950 (SI 1950/783) or the Burial Act 1857.

19. www.nactso.gov.uk

20. www.cpni.gov.uk

21. Further details of RSES are available at www.ice.org.uk