

NORTH YORKSHIRE COUNTY COUNCIL

AUDIT COMMITTEE

1 DECEMBER 2016

INTERNAL CONTROL MATTERS FOR THE BUSINESS AND ENVIRONMENTAL SERVICES DIRECTORATE

Report of the Corporate Director – Business & Environmental Services

1.0 PURPOSE OF THE REPORT

- 1.1 To provide an update to members of progress against the areas for improvement identified in the Business & Environmental Services (BES) Directorate's Statement of Assurance.
- 1.2 To provide details of the latest Risk Register for the BES Directorate.

2.0 BACKGROUND

- 2.1 The Audit Committee is required to assess the quality and effectiveness of the corporate governance arrangements operating within the County Council. In relation to the BES Directorate, the Committee receives assurance through the work of internal audit (detailed in a separate report to the Committee), details of the Statement of Assurance provided by the Corporate Director, together with the Directorate Risk Register.
- 2.2 To ensure governance and internal control matters are monitored on an on-going basis the BES Management Team receives and considers a report on a quarterly basis. This covers performance, finance, Statement of Assurance, risk and internal audit.

3.0 STATEMENT OF ASSURANCE

- 3.1 Management Board, the Chief Executive and each Corporate Director produce a Statement of Assurance (SoA) at the end of each financial year. In this statement the Corporate Director identifies those items that may give rise to internal control or performance risk issues for the Directorate in the coming financial year. These issues feed into the process to produce the Annual Governance Statement prepared for the County Council.
- 3.2 The SoA for the BES Directorate identified a number of areas for improvement for 2016/17 together with proposed actions. The relevant part of the SoA is attached as **Appendix A** together with comments and updates on progress since that meeting.

4.0 DIRECTORATE RISK REGISTER

4.1 The Directorate Risk Register (DRR) is produced initially from a review of risks at Service level, which are then aggregated via a sieving process to Directorate level. This end product similarly aggregates these Directorate level risks into the Corporate Risk Register.

4.2 The Risk Prioritisation System adopted to derive risk registers categorises risks as follows:

- Category 1 and 2 are high risk (RED)
- Category 3 and 4 are medium risk (AMBER)
- Category 5 is low risk (GREEN)

These categories are relative and not absolute assessments. The DRR represents the principal risks being managed in BES that may materially impact on the performance, financial and reputational outcomes of the Directorate.

4.3 The latest detailed DRR is shown at **Appendix B**. This shows a range of key risks and the risk reduction actions designed to minimise them together with a ranking of the risks both at the present time and after mitigating action.

4.4 A summary of the DRR is also attached at **Appendix C**. As well as providing a quick overview of the risks and their ranking, it also provides details of the change or movement in the ranking of the risk since the last review in the left hand column.

4.5 A review of the BES DRR took place at the end of September and was signed off by the Directorate Management Team. A further formal update review of the register will take place in Q4 of 2016/17.

4.6 A new risk has been added to the DRR since December 2015 (date of last progress report to the Committee) and is as follows:

- 7/232 – Growth. This risk wholly concentrates on the ambition of Sustainable Economic Growth.

4.7 A risk that has been deleted from the DRR since December 2014 and is as follows:

- 7/22 – LEP Strategy and Growth Deal. The new risk above has taken over from this previous risk

4.8 All other risks have been updated from Service risk registers. The individual assessment of the probability and impacts for these risks may have altered but the overall ranking of the risks has remained the same, apart from one of them. The risk which is titled Delivering Change Programmes within BES has reduced on the second ranking because it is felt that the actions to be done will keep this risk under control. The wording has also been slightly altered to reflect change as an on-going process which will continue beyond 2020.

5.0 RECOMMENDATIONS

5.1 That the Committee:

- i) Note the position on the Business & Environmental Services Directorate Statement of Assurance;
- ii) Note the Directorate Risk Register for the Business & Environmental Services Directorate; and
- iii) Provide feedback and comments on the Statement of Assurance and Directorate Risk Register and any other related internal control issues.

DAVID BOWE

Corporate Director – Business & Environmental Services

December 2016

Report prepared by Michael Leah

**AREAS FOR FURTHER DEVELOPMENT IDENTIFIED
BUSINESS & ENVIRONMENTAL SERVICES DIRECTORATE**

Areas for Development as Identified in 2015/16	Action Proposed	November 2016 Update
<p>A</p> <p>2020 North Yorkshire</p> <p>By May 2016 BES has delivered approximately £10m of savings against a target of £10.5m. The remaining £0.5m is on track to be delivered as planned by 1/4/2017.</p> <p>An ideas generation process launched in late 2015 has identified a range of new initiatives that could deliver at least a further £3m. Key projects include:</p> <ul style="list-style-type: none"> • Generating more income across a range of services, maximising opportunities from the Teckal arrangements (see Waste Management Strategy below), • Service and contract reviews • Review of sourcing of materials for Highways • Accelerating capital replacement programmes for street lighting and traffic signals to deliver early revenue savings. 	<p>a) Deliver outstanding 2020 savings projects by April 2017 - income generation in Highways and Transportation and Trading Standards restructure.</p> <p>b) Deliver outstanding projects to support the 2020 Customer programme – “Parish Portal”, PROW review, County Searches review, Online License applications by April 2017.</p> <p>c) Continue to develop, when appropriate, robust business cases to support each new proposal in the BES directorate. Project briefs for ideas to be taken forward at this stage to be completed and approved by autumn 2016; then progressed to outline business case (owner & timing specific to project).</p> <p>d) Accurately cost services provided to third parties to maximise income, as and when bids go forward.</p>	<p>The income generation project in H&T and Trading Standards restructure project are both flagged as amber in terms of timing of delivery, i.e. behind schedule; however, they are both still targeting to achieve the value required.</p> <p>New PROW processes continue to be embedded with a focus on maximising the use of volunteers in the service and better approaches to managing customer questions. Phase 1 of Parish Portal has been completed and Phase 2 will begin development in January 2017. Online Licenses and County Search work continues.</p> <p>By 7th December, the majority of ideas put forward by BES to help achieve corporate savings target will have a project brief and a view of when cashable savings will be delivered.</p>

Areas for Development as Identified in 2015/16		Action Proposed	November 2016 Update
B	<p>Business Intelligence & Reporting</p> <p>The LGA review of highways service, as part of the Highways Maintenance Efficiency Programme (HMEP), concluded that we are data rich and there is a potential opportunity to further exploit that.</p>	<p>a) Develop an asset management data strategy as a way of standardizing the recording of highways assets and realizing further potential for utilizing the assets for improvement to the service. This development is not directly required to achieve Band 3 within HMEP but rather compliments other improvements. The work will be completed by October 2016.</p>	<p>The Highways team have concluded their approach will be to target areas where use of data can be improved, for example the team completed a project cleansing gully asset data; revised data is being used as the basis for an efficiency saving in the delivery of the service.</p>
C	<p>Strategic Economic Development</p> <p>Following the completion of a Spatial Plan for York, North Yorkshire and East Riding, a Spatial Framework is being developed.</p> <p>LEP funding streams continue to support the economic development of the county, including the Local Growth Deal funding of £123m</p>	<p>a) The BES Strategy & Planning team will commission development of a Spatial Framework to be complete by November 2016. This work will update the previous plan by looking forward to 2050 and provide a more strategic approach to future planning and infrastructure development.</p> <p>b) In order to achieve economic growth in the region NYCC will engage, influence and support key partners, including the LEP and Districts Councils. Within the Autumn Statement (expected November</p>	<p>Since the LGA review in March 2016, the BES team have reviewed the senior management structure in the directorate and in October appointed an Assistant Director of Growth, Planning & Trading Standards. The focus of this role is to develop NYCC's strategy for economic growth.</p> <p>Development of a Spatial Framework is now targeting completion by December 2016.</p> <p>Twelve projects have been identified, prioritised & submitted for the Local Growth Fund deal. When the outcome of that process is announced in the</p>

Areas for Development as Identified in 2015/16		Action Proposed	November 2016 Update
		2016) the outcome of the Local Growth Fund deal will be announced; NYCC, as accountable body, will need to work with the LEP to bring those projects into the existing capital programme, to help ensure delivery.	Autumn Statement, the LEP will have greater certainty on which projects will be taken forward and over what timeframe.
D	<p>Waste Management Strategy</p> <p>To deliver the long term waste strategy including:</p> <ul style="list-style-type: none"> • The construction and operation of Allerton Waste Recovery Park with a construction completion date of early 2018. • To develop Teckal arrangements for Yorwaste to achieve the best value from the Waste PPP Project at Allerton Waste Recovery Park. <p><i>The Teckal arrangement allows NYCC to award Yorwaste contracted work without requiring a full, open competitive procurement process. There is an established EU principle which permits this as long as the parties can demonstrate the control test (NYCC and CYC have more than 50% of Yorwaste board members) and the function test (which requires that</i></p>	<p>a) Complete time limited s106 planning agreement obligations and planning conditions during the construction phase (before Autumn 2017).</p> <p>b) Ensure the County Council complies with commissioning obligations from the Waste PPP contract (anticipate start of commissioning in Summer 2017).</p> <p>c) Work closely with Yorwaste to monitor levels of waste throughput to ensure that these optimise the Authority's deliveries to Allerton Waste Recovery Park. This is ongoing but the initial requirement is by operating live of the plan in Feb 2018.</p> <p>d) Prior to Allerton Waste Recovery Park becoming operational in 2018 put in</p>	<p>The AWRP project continues on target and the dates in the "Action Proposed" column remain as is.</p>

Areas for Development as Identified in 2015/16		Action Proposed	November 2016 Update
	<i>greater than 80% of the company's activity is through public sector bodies).</i>	place contract management systems to enable close observation of risks and to assist with the pricing mechanism with AmeyCespa.	
E	<p>Contract Management</p> <p>Additional work is focused on ensuring we maximize the value from our contracts which represents over 70% of gross expenditure in BES, including changing the remit of the Commercial Services Unit to focus on the management of Highways contracts, e.g. Highways Maintenance Contract (HMC2012).</p> <p>Resource is being utilised to review our key contracts to identify opportunities for savings, improving contractor/client relationships and effective performance management.</p>	<p>Civil Engineering Contractors Frameworks</p> <p>a) Benchmark the new frameworks against the existing HMC2012 to demonstrate VFM. Compare the costs of delivery over the financial year 2016/17. The findings of this will be available in April 2017.</p> <p>HMC2012 – have in place the following items by April 2017:</p> <p>b) Monthly review, management & agreement of performance through the new simplified Performance Management Framework.</p> <p>c) Monitor and record the quality and productivity of Ringway Infrastructure Services and their sub-contractors in relation to basic maintenance works. This is presented annually in May to the BES Exec members.</p>	<p>The annual performance review was presented to BES Exec members in May and, as a result of the adequate performance of the contractor against the KPI's, a decision was taken to neither award or remove a year from the contract.</p> <p>Re BS11000, the DfT has softened their requirement for this within HMEP, however there are elements that need to be embedded within training for highways staff, for example a more robust appraisal process is needed. The team are reviewing this changed position with a view to create an action plan by the end of November 2016.</p>

Areas for Development as Identified in 2015/16		Action Proposed	November 2016 Update
		<p>d) Introduction of 360° Relationship Development Plan with monthly/quarterly/annual reviews.</p> <p>Professional Services</p> <p>e) Record and report KPI's relating to Mouchel performance.</p> <p>f) BS11000 accreditation for NYCC which will contribute towards achieving HMEP Band 3, which will be complete by November 2016.</p> <p>g) Benchmarking Mouchel fees against internal service and previous provider. This work will be undertaken when 6 months' worth of information is available, therefore will start in January 2017 and target completion of end of March 2017.</p>	
F	<p>Highways Maintenance - Capital Funding</p> <p>In future years up to £5m of the Council's DfT Highways capital funding will be dependent on meeting the requirements of "Incentive element" which are around efficiency and asset management. Authorities are required to carry out a self-</p>	<p>a) In order to move from Band 2 to Band 3, a gap analysis was completed in June 2016. The recommendation of that report, amongst others, requires working with external partners to implement improvements. It is anticipated this work</p>	<p>The 2016 HMEP self-assessment is in progress and is targeting end of November completion for internal management review, followed by end of December 2016 report to DfT. The team are still aiming to achieve Band 3 rating.</p>

Areas for Development as Identified in 2015/16		Action Proposed	November 2016 Update
	assessment against a set of national criteria and can be placed in either Band 1, Band 2 or Band 3 with the latter being the most efficient. The Department for Transport recognises the need for all authorities to go through their own improvement journey and therefore the requirement to achieve a certain banding to retain the full 'incentive element' increases over time.	<p>will be concluded in the same timescales as achieving Band 3 above.</p> <p>b) Achieve a Band 3 rating by the date of the HMEP self- assessment due November 2016 (the previous self- assessment in 2015 had the council marked as Band 2).</p>	
G	<p>Minerals and Waste Joint Plan</p> <p>The development of the Minerals and Waste Joint Plan as the basis for development control decision making.</p>	<p>a) Revise draft policy content for oil and gas development following completion of the joint Scrutiny Committee review on fracking, draft report to be tabled at Executive in October 2016.</p> <p>b) Complete other actions required to produce a final draft Plan for submission for examination in public, including updating the evidence base and undertaking key tasks required through recent 'critical friend' review by March 2017.</p>	The draft Minerals & Waste Joint Plan was reviewed & approved at Executive in October 2016 and is currently out to formal consultation. The team are still targeting March 2017 for the final approved plan.

BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification													
Risk Number	7/24	Risk Title	7/24 - Capital Programme				Risk Owner	CD BES	Manager	AD SR (BES/CS) & Perf			
Description	Ineffective management of capital programme including BALB, LEP, LTP, LTB, Waste Management and projects resulting in significant overspend/underspend, weak use of resources, loss of reputation and performance.					Risk Group	Financial	Risk Type	H&T 9/195				
Phase 2 - Current Assessment													
Current Control Measures			Project managers/sponsors for each project; regular financial and programme and project monitoring and reporting of the programmes; operational and strategic management/monitoring, project planning; Gateway training carried out; Capital Projects Board in operation; sub group of Capital Projects Board in place when required, risk assessment carried out in Capital Plan reports feed into MTFS; Finance Officer support to Capital; risk register for major schemes and schemes in the capital works programme; project board for major schemes; IDSG; appropriate actions and contingencies dependent on risks established and reported to BESMT on a regular basis; risk assessment for major schemes; additional and effective highways capital programme resource / manager to drive delivery of the programme implemented; Specific and ongoing training in financial and project management for key BES staff; PIR of major projects; Schemes portal, assurance framework for LEP in place, contract management health measurement and reporting in place; 2 year LTP works programme with realistic targets and alignment of internal and external delivery resources; assurance framework for LEP in place;					Effectiveness					
Probability	M	Objectives	M	Financial	H	Services	M	Reputation	M	Category	2		
Phase 3 - Risk Reduction Actions													
							Action Manager	Action by	Completed				
Reduction	7/175 - Ensure high quality, timely reports to Capital Projects Board and Exec members covering key service and financial risk items (ongoing)						AD SR (BES/CS) & Perf	Sat-30-Sep-17					
Reduction	7/259 - Continue to introduce efficiency measures for capital projects and programmes where relevant – focus on highways capital works programme for structural maintenance taking into account HMEP self assessment outcomes to achieve optimal use of funding (ongoing)						AD SR (BES/CS) & Perf BES AD H&T	Sat-30-Sep-17					
Reduction	9/450 - Seek to integrate Oracle/Planning Tool/Symology strategic capital programme monitoring						BES AD H&T BES H&T P&IO	Mon-31-Jul-17					
Reduction	9/551 - hNY Improvement Action Plan: End to end External Review of the Capital Programme						BES H&T NSM	Wed-30-Nov-16					
Reduction	9/555 - hNY Improvement Action Plan: Lean review of Capital Programme (pending completion of External Review)						BES AD H&T BES H&T HoCS	Fri-31-Mar-17					
Reduction	9/592 - Specific monitoring of separately funded capital works, eg Pothole Action Fund, LGF and GWB funded works						BES H&T NSM	Sat-30-Sep-17					
Reduction	11/180 - Advice and support for the LEP on financial and partnership governance (ongoing)						AD SR (BES/CS) & Perf	Sat-30-Sep-17					
Reduction	11/182 - Continue to assess current capabilities and put in place any requirements necessary to enable effective delivery of capital projects (ongoing)						AD SR (BES/CS) & Perf	Sat-30-Sep-17					



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Reduction	11/268 - Explore the introduction of moving to single portfolio management for existing and future capital projects to ensure best practice				AD SR (BES/CS) & Perf BES AD H&T	Sat-30-Sep-17					
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	H	Services	M	Reputation	M	Category	3
Phase 5 - Fallback Plan											
							Action Manager				
Fallback Plan	7/72 - Review of all resources and procedures; media management; member engagement; intervention by Capital Projects Board						CD BES				



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/173	Risk Title	7/173 - Minerals and Waste Development Framework			Risk Owner	CD BES		Manager	BES AD GP&TS	
Description	Failure to submit a Minerals and Waste Development Framework by end of March 2017 as the basis for development control decision-making resulting in risk of legal challenge through judicial review, appeals with resulting financial and workload implications, adverse implications for the local economy, risk of National Government passing on European fines - The current review by the jt sub committee has the potential to delay the production of the plan, particularly should it request significant changes or evidence gathering in relation to the section on fracking				Risk Group	Performance		Risk Type	TS&P 13/31		
Phase 2 - Current Assessment											
Current Control Measures		Performance monitoring; awareness of new developments; resource monitoring; briefing of BESMT; delivery of in house sustainability appraisal work and appointment of consultants to support the work; memorandum of understanding to govern principles of joint working; Exec approval to move date; preferred options consultation completed;						Effectiveness			
Probability	M	Objectives	M	Financial	M	Services	M	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/267 - Work closely with City of York Council and the North Yorks Moors National Park Authority on joint Minerals and Waste Development Strategy				BES AD GP&TS		Fri-31-Mar-17				
Reduction	13/54 - Continue to review progress against LDF milestones, review and update milestones as necessary, particularly in light of Duty to Co-operate				BES AD GP&TS		Fri-31-Mar-17				
Reduction	13/333 - Review position re further amendment or evidence gathering required for the fracking section following June 2016 scrutiny sub-committee report to Exec and develop appropriate policy response for the Plan.				BES AD GP&TS		Fri-30-Sep-16				
Reduction	13/519 - Continue to keep budget priorities under review				BES AD GP&TS		Fri-31-Mar-17				
Reduction	13/523 - Continue to monitor new developments eg fracking, using planning officers society and peer groups in particular the Duty to Co-operate				BES AD GP&TS		Fri-31-Mar-17				
Reduction	13/753 - Launch publication version of plan				BES AD GP&TS		Wed-30-Nov-16				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	H	Category	3
Phase 5 - Fallback Plan											
Fallback Plan									Action Manager		



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification												
Risk Number	7/189	Risk Title	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan					Risk Owner	CD BES		Manager	BES AD H&T
Description	Failure to deliver the programme of transport schemes within the LEP's Strategic Economic Plan results in reputational damage to the County Council and impacts upon the potential to secure funding for transport schemes in future rounds of the Local Growth Fund. There is a direct role for H&T to deliver the schemes promoted by the County Council and support the LEP in the Transport role, but also a supporting role to assist third party scheme promoters specifically the district councils.					Risk Group	Performance		Risk Type	Dir Only		
Phase 2 - Current Assessment												
Current Control Measures			Programme in place for delivery of County Council promoted schemes; support being provided to the third party scheme promoters; risk analysis for each scheme undertaken; effective engagement with LEP; Senior Transport Planning Officer (Transport projects) now in post to support the LEP and NYCC in delivery of SEP funded schemes;						Effectiveness			
Probability	M	Objectives	M	Financial	H	Services	L	Reputation	H	Category	2	
Phase 3 - Risk Reduction Actions												
							Action Manager	Action by	Completed			
Reduction	7/318 - Continue to engage with the LEP and support them to manage risks associated with specific scheme programmes (ongoing)						CD BES	Sat-30-Sep-17				
Reduction	7/436 - Continue to ensure sufficient resource in H&T to effectively promote County Council schemes (ongoing)						BES AD H&T	Sat-30-Sep-17				
Reduction	9/580 - Ensure annual budget for advanced design of major schemes						BES AD H&T	Fri-31-Mar-17				
Reduction	9/583 - Ensure NYCC identify appropriate sources of funding to provide at least a minimum of 10% local capital contribution to the scheme implementation costs						BES AD H&T BES H&T NSM	Fri-31-Mar-17				
Reduction	9/585 - Ensure framework consultant has sufficient and appropriate resources available to undertake the necessary advanced design of major schemes						BES AD H&T	Fri-31-Mar-17				
Phase 4 - Post Risk Reduction Assessment												
Probability	L	Objectives	M	Financial	H	Services	L	Reputation	H	Category	3	
Phase 5 - Fallback Plan												
										Action Manager		
Fallback Plan	7/537 - LEP to consider re-profiling Local Growth Fund programme									CD BES		

BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/7	Risk Title	7/7 - Statutory Duties				Risk Owner	CD BES	Manager	CD BES	
Description	Failure to carry out statutory duties or meet statutory deadlines (e.g. Health and Safety, safe guarding, information governance, prevention of waste pollution, planning responsibilities, statutory property related issues, driver/vehicle guidance) resulting in Corporate Manslaughter, increased cost/claims, fines/prosecution and criticism.					Risk Group	Performance	Risk Type	Dir Only		
Phase 2 - Current Assessment											
Current Control Measures		Service plans; service unit risk registers; allocation of responsibility training for key staff; prof. bodies incl. HSE; CPD; CDM; RMWGs; routine inspections; contractor selection proc; NYCC legal and safety advisers; annual contractor training; Designated Directorate H&S Manager and support; regular item on BESMT; SMTs; Partnership and contract managers group; Directorate H&S working group; risk assessment; incident feedback; previous risk assessment on most sites; landfill gas perimeter controls; annual review of all sites (monitoring results); regular monitoring; use of consultants; agency staff; documented proc; record of dec. actions; audit and review of proc/compliance, inspections, actions and training; corporate policies, procedures and champions; services to employ sufficient numbers of professionally trained/qualified officers; prioritisation matrix for resources in place in Trad Stds; training relating to new CDM Regulations for construction work; Incident plan for former landfill sites;					Effectiveness				
Probability	M	Objectives	M	Financial	M	Services	M	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/458 - Ensure that the current H&S procedures are audited to ensure compliance (ongoing)						CD BES	Sat-30-Sep-17			
Reduction	7/459 - Review the H&S arrangements of Contractors and Partner organisations (ongoing)						BES AD H&T	Sat-30-Sep-17			
Reduction	7/461 - To monitor all service plans and risk registers and ensure they are checked on a regular basis (ongoing)						BES MT	Sat-30-Sep-17			
Reduction	7/462 - Review incidents and claims statistics including large losses and develop action plans (ongoing)						BES MT	Sat-30-Sep-17			
Reduction	7/480 - Review the Prioritisation matrix for Trading Standards resources, matrix reviewed and changes signed off by Exec Member						BES AD GP&TS	Fri-1-Apr-16	Fri-1-Apr-16		
Reduction	7/483 - Continue to source and deliver relevant contracts to TS work to mitigate against budget cuts and maintain service resilience (ongoing)						BES AD GP&TS	Sat-30-Sep-17			
Reduction	7/500 - Complete training relating to new CDM Regulations for construction work						BES AD H&T	Thu-31-Dec-15	Thu-31-Dec-15		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	H	Category	3
Phase 5 - Fallback Plan											



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

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		Action Manager
Fallback Plan	7/78 - Implement appropriate management and contingency plans; review priorities and reprioritise service delivery; media management	CD BES



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/232	Risk Title	7/232 - Growth				Risk Owner	CD BES	Manager	AD SR (BES/CS) & Perf BES AD GP&TS	
Description	Failure to deliver the ambition of Sustainable Economic Growth through the delivery of the right housing, transport, and connectivity infrastructure, whilst protecting the outstanding environment and heritage, and within the context of two-tier local government structure and wider macro-economic policy and processes. This results in an inability to attract, retain and grow businesses, increase the house building rate, raise living standards and increase spending power.					Risk Group	Strategic	Risk Type			
Phase 2 - Current Assessment											
Current Control Measures			Direct contribution and support, including through provision of accountable body function, to the YNYER Local Enterprise Partnership; Establishment of an Economic Growth Function within BES; Proactive engagement in LGNYY partnership working including through Directors of Development, Chief Housing Officers, and Economic Development Officer Groups; Lead role in enabling and developing YNYER Spatial Framework; Lead role in supporting and developing the NYCC Infrastructure Delivery Steering Group; Lead role in initiating and developing the NYCC Economic Growth Plan; Work to secure Combined Authority / Devolution deal with Government;					Effectiveness			
Probability	M	Objectives	H	Financial	H	Services	H	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/1505 - Development, agreement and corporate implementation of NYCC Economic Growth and Delivery Plan including secure sign-off by Management Board and senior Elected Members					BES AD GP&TS BES GP&TS HoSP&EG	Sat-31-Dec-16				
Reduction	7/1958 - Develop and implement enhanced collaborative working arrangements with District Councils - Date TBA					BES AD GP&TS					
Reduction	7/1959 - Development and agreement of YNYER Spatial Framework to enable effective long-term planning and investment of infrastructure for growth.					BES AD GP&TS	Fri-31-Mar-17				
Reduction	7/1960 - Maintain good working relationship with the LEP (ongoing)					CD BES	Sat-30-Sep-17				
Reduction	7/1961 - Understand and investigate any impacts of Brexit and ensure opportunities are taken					BES AD EPU CD BES	Sun-30-Sep-18				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	H	Financial	H	Services	H	Reputation	H	Category	3
Phase 5 - Fallback Plan											
Fallback Plan	7/551 - Review and revise existing arrangements for sustainable economic growth						Action Manager				
							BES AD GP&TS				



BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/174	Risk Title	7/174 - Opportunities for Devolution in North Yorkshire and Consideration of a Combined Authority				Risk Owner	CD BES	Manager	CD BES	
Description	Failure to take advantage of Devolution opportunities in North Yorkshire resulting in reduced investment and impact on the growth and jobs across North Yorkshire.				Risk Group	Strategic	Risk Type	EPU 176/211			
Phase 2 - Current Assessment											
Current Control Measures		Devolution proposals submitted to Govt., LEP strategic economic plan in place; NYCC retains the Infrastructure Delivery Steering Group; NYCC wide co-ordination of development needs linked to District plans; local authorities are moving towards a joint committee & considering a combined authority; LA Director group in place; plan detailing powers and funding developed;						Effectiveness			
Probability	M	Objectives	H	Financial	H	Services	M	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	176/280 - Gain political support both locally and nationally (ongoing)					Chief Exec	Sat-31-Dec-16				
Reduction	176/286 - Directors of Development Group to support the Devolution deal					CD BES	Wed-16-Mar-16	Wed-16-Mar-16			
Reduction	176/320 - Negotiate the economic barriers and opportunities which Devolution can take advantage of with Government					CD BES	Sat-31-Dec-16				
Reduction	176/460 - Establish the geography on which to secure Devolution					Chief Exec	Sat-31-Dec-16				
Reduction	176/469 - Develop detailed business cases for all requirements					Chief Exec	Sat-31-Dec-16				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	M	Services	L	Reputation	M	Category	5
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	176/544 - Consider a North Yorkshire deal						CD BES				

BES Directorate

Risk Register: **Month 0 (August 2016) – detailed**

Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/23	Risk Title	7/23 - Major Incident and Business Continuity				Risk Owner	CD BES	Manager	CD BES	
Description	Failure to plan and respond effectively to a major incident without major impact upon routine service performance or longer term impact on service delivery. Such incidents may include animal health disease, flooding and other severe weather, Service breakdown including critical resources (eg property, people and ICT) resulting in the need to deliver additional service in order to ensure effective enforcement/containment and minimal disruption to critical services.					Risk Group	Performance	Risk Type			
Phase 2 - Current Assessment											
Current Control Measures			Leadership of BES Management Team and appropriate lead manager; work with other appropriate partners; appropriate major incident and emergency plans; inspection monitoring programmes; systems resilience & back up arrangements in place; business impact analyses and incident management plans are in place; disaster recovery plan; NYCC silver command exercises carried out; implementation of solutions based upon lessons learned from previous major incidents; BES RMG; biannual multi-agency training events; command structure / information flow for business continuity incidents finalised; emergency protocol agreed with Kier and Yorwaste in the event that sites to be open on days when they may otherwise be shut;					Effectiveness			
Probability	L	Objectives	M	Financial	H	Services	H	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/98 - Review, standardisation and update of business impact analyses and incident management					AD SR (BES/CS) & Perf	Thu-31-Dec-15	Thu-31-Dec-15			
Reduction	7/374 - Ensure that resources are flexible enough to manage unexpected major and business continuity incidents (ongoing)					BES MT	Thu-31-Aug-17				
Reduction	7/444 - Continually review procedures plans and training in relation to major incidents (ongoing)					BES MT	Thu-31-Aug-17				
Reduction	7/446 - Annual live or desk top exercises to test plans (ongoing)					BES MT	Thu-31-Aug-17				
Reduction	7/447 - Finalise command structure / information flow for business continuity incidents					BES MT	Thu-31-Dec-15	Thu-31-Dec-15			
Reduction	7/448 - Carry out silver command exercise including BES representatives					BES MT	Sat-31-Oct-15	Thu-31-Dec-15			
Reduction	7/1957 - Develop a critical infrastructure network in line with HMEP recommendations					BES AD H&T	Wed-30-Nov-16				
Reduction	14/122 - Work with Kier and Yorwaste to develop an emergency protocol in the event that we require sites to be open on days when they may otherwise be shut					BES W&CS WCM BES W&CS WSM	Thu-31-Mar-16	Thu-31-Mar-16			
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	H	Services	H	Reputation	M	Category	3



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Phase 5 - Fallback Plan		Action Manager
Fallback Plan	7/75 - Review the plans, media management, advise Members	CD BES



BES Directorate

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Report Date: 14th November 2016 (pw)

Phase 1 - Identification											
Risk Number	7/18	Risk Title	7/18 - Long Term Waste Service Strategy				Risk Owner	CD BES	Manager	CD BES	
Description	Failure to deliver the long term waste service strategy including: overseeing and managing AmeyCespa in their delivery of AWRP and delivery of waste transfer infrastructure, resulting in programme slippage, delays to Service Commencement Date, increased costs potential from involvement in claims, additional procurement costs, reputational damage, potential failure of Project Agreement, impact on partnering arrangements with CoYC, impact on district councils' collection systems, reduced efficiency, criticism from districts and media.					Risk Group	Performance	Risk Type	W&CS 14/168		
Phase 2 - Current Assessment											
Current Control Measures		AWRP: Signed Project Agreement; property secured; planning permission in place; robust governance through SPV; integrated document management system in use (4projects); Infrastructure Development Manager in post and carrying out weekly site visits/meetings; Independent Tester joint appointment between AmeyCespa NYCC and the funders; access to external advisors; Contract Management Manual/Register of Obligations; suite of monitoring documents in place; Project Board in place; monthly project team meetings; Amey Cespa control of Sub-Contractors; S106 and S278 delivery arrangements in place; Interim framework contract procured; Teckal compliant company; network of Amey Cespa clients; monthly compliance monitoring check; Waste Transfer: Five of seven built (but not controlled); planning application gained for one and being prepared for one other; site secured for two; internal environmental advice obtained; agreed approach with districts; existing contracts in place; Yorwaste cooperating; extensive modelling; new procurements beginning in 13/14 for successor contracts; project board and team including CoYC; agreement for Teckal					Effectiveness				
Probability	L	Objectives	L	Financial	H	Services	L	Reputation	H	Category	3
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/373 - Seek to formalise joint contract management arrangements with CoY Council including development of devolved plans					BES AD W&CS	Sun-31-Dec-17				
Reduction	7/375 - AWRP – Monitor the AWRP project risk register					BES AD W&CS	Sat-31-Mar-18				
Reduction	7/376 - AWRP – Work with the independent tester to enable Certification of the readiness (July 2017) and takeover (Jan 2018)					BES AD W&CS	Wed-31-Jan-18				
Reduction	14/214 - WT – Confirm business case for new transfer station or procure an alternative solution for Kirby Misperton including identification of source of required additional funding					BES AD W&CS	Sun-30-Apr-17				
Reduction	14/221 - WT – Explore opportunities for sharing with districts (via co-location &/or financial contribution) (ongoing)					BES AD W&CS	Sat-31-Mar-18				
Reduction	14/222 - WT – Confirm business case for new transfer station or procure an alternative solution for Selby including identification of source of require additional funding					BES AD W&CS	Sun-30-Apr-17				
Reduction	14/343 - WT - Complete collaboration agreement with Craven DC					BES AD W&CS	Sat-31-Dec-16				



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Reduction	14/344 - WT - Secure planning consent for Selby (date to be advised when action 14/222 completed)	BES AD W&CS		
Reduction	14/448 - AWRP - Completion of Certification Matrices to ensure the contractor has delivered their obligations where they go beyond the requirements of the independent tester (36% compliance 1116)	BES AD W&CS	Mon-31-Jul-17	
Reduction	14/482 - AWRP - Regular review of key dates schedules / programme & register of obligations	BES AD W&CS	Mon-31-Jul-17	
Reduction	14/483 - AWRP - Develop contingency plan for procurement of alternatives	BES W&CS WSM	Sun-31-Jul-16	Sun-31-Jul-16
Reduction	14/484 - AWRP - Continually monitor delivery of planning requirements and conditions, including S106 and S278 agreements; s278s now complete	BES W&CS WCM	Mon-31-Jul-17	
Reduction	14/793 - AWRP - Monitor the Amey Cespa PPP project risk register	BES W&CS WSM	Sat-31-Mar-18	
Phase 4 - Post Risk Reduction Assessment				
Probability	L	Objectives	L	Financial
			H	Services
			L	Reputation
			M	Category
				3
Phase 5 - Fallback Plan				
				Action Manager
Fallback Plan	7/73 - Rely short term on recently procured arrangements, review strategy, media management			CD BES



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Phase 1 - Identification											
Risk Number	7/175	Risk Title	7/175 - Delivering Change Programmes within BES				Risk Owner	CD BES	Manager	BES MT	
Description	Failure to embed a strong change culture, processes and supporting capacity to deliver ongoing programmes of change in BES e.g. the BES 2020 Change Programme. This could result in adverse impact on service delivery, inability to fully meet current and future financial requirements, internal and external criticism.					Risk Group	Change Mgt	Risk Type			
Phase 2 - Current Assessment											
Current Control Measures			CD BES Staff Updates; reps on 2020NY workstreams; key messages; cascade of 2020NY vision and approach; monitoring of impacts on performance; monitoring of impacts on savings target; 2020 North Yorkshire plans submitted; Savings programme developed; political agreement and acknowledgement of risks; Performance Management framework development; BES Transformation Steering Group; Performance Management Review in BES; BES MT engagement on budget and 2020NY approach; Transformation and VFM; 4 year programme; ICT Strategy; staff survey outcomes partly implemented; Programme transformational rather than savings focussed; ideas generation and review process established; new programme of changes identified and agreed;					Effectiveness			
Probability	L	Objectives	H	Financial	M	Services	H	Reputation	L	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/93 - Continue communication/engagement arrangements with staff on 2020 North Yorkshire programme (ongoing)						BES MT	Sat-30-Sep-17			
Reduction	7/260 - Continue to monitor impacts of BES 2020 Programme (ongoing)						BES MT	Sat-30-Sep-17			
Reduction	7/265 - Promote and embed cultural change through key messages, KITS, manager and non-manager objectives, regular reporting on progress of change projects and impacts of daily operations on delivery of aims (ongoing)						BES MT	Sat-30-Sep-17			
Reduction	7/426 - Carry out staff survey and review results						AD SR (BES/CS) & Perf	Thu-31-Dec-15	Thu-31-Dec-15		
Reduction	7/450 - Continue to deliver savings plan as agreed in MTFS / Budget including the 4% shortfall in 2016/17 (review each year)						AD SR (BES/CS) & Perf	Fri-31-Mar-17			
Reduction	7/451 - Ensure appropriate allocation of resources to deliver change projects (ongoing)						AD SR (BES/CS) & Perf	Sat-30-Sep-17			
Reduction	7/1502 - Support the new ways of working (Modern Council) project as a catalyst for change						BES MT	Sun-30-Apr-17			
Reduction	7/1503 - Develop an approach to portfolio management with BES to position programme as transformational rather than savings focussed						BES MT	Thu-31-Dec-15	Thu-31-Dec-15		
Reduction	7/1504 - Continue with implementation of the action plan developed following the staff survey (ongoing)						BES MT	Sat-30-Sep-17			

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Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	L	Category	5
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	7/539 - Review approach to 2020 NY Change Programme and cultural change management within BES									CD BES	



BES Directorate

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Identity			Person		Classification												Fallback Plan			
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Pre						RR		Post						FBPlan	Action Manager
					Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep	Cat		
◀▶	7/24 - Capital Programme	Ineffective management of capital programme including BALB, LEP, LTP, LTB, Waste Management and projects resulting in significant overspend/underspend, weak use of resources, loss of reputation and performance.	CD BES	AD SR (BES/CS) & Perf	M	M	H	M	M	2	9	30/11/2016	L	M	H	M	M	3	Y	CD BES
◀▶	7/173 - Minerals and Waste Development Framework	Failure to submit a Minerals and Waste Development Framework by end of March 2017 as the basis for development control decision-making resulting in risk of legal challenge through judicial review, appeals with resulting financial and workload implications, adverse implications for the local economy, risk of National Government passing on European fines - The current review by the jt sub committee has the potential to delay the production of the plan, particularly should it request significant changes or evidence gathering in relation to the section on fracking	CD BES	BES AD GP&TS	M	M	M	M	H	2	6	30/09/2016	L	M	M	M	H	3	N	
◀▶	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan	Failure to deliver the programme of transport schemes within the LEP's Strategic Economic Plan results in reputational damage to the County Council and impacts upon the potential to secure funding for transport schemes in future rounds of the Local Growth Fund. There is a direct role for H&T to deliver the schemes promoted by the County Council and support the LEP in the Transport role, but also a supporting role to assist third party scheme promoters specifically the district councils.	CD BES	BES AD H&T	M	M	H	L	H	2	5	31/03/2017	L	M	H	L	H	3	Y	CD BES
◀▶	7/7 - Statutory Duties	Failure to carry out statutory duties or meet statutory deadlines (e.g. Health and Safety, safe guarding, information governance, prevention of waste pollution, planning responsibilities, statutory property related issues, driver/vehicle guidance) resulting in Corporate Manslaughter, increased cost/claims, fines/prosecution and criticism.	CD BES	CD BES	M	M	M	M	H	2	7	30/09/2017	L	M	M	M	H	3	Y	CD BES

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Report Date: 14th November 2016 (pw)

Identity			Person		Classification												Fallback Plan			
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Pre						RR		Post						FBPlan	Action Manager
					Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep	Cat		
- new -	7/232 - Growth	Failure to deliver the ambition of Sustainable Economic Growth through the delivery of the right housing, transport, and connectivity infrastructure, whilst protecting the outstanding environment and heritage, and within the context of two-tier local government structure and wider macro-economic policy and processes. This results in an inability to attract, retain and grow businesses, increase the house building rate, raise living standards and increase spending power.	CD BES	AD SR (BES/CS) & Perf BES AD GP&TS	M	H	H	H	H	2	5	31/12/2016	L	H	H	H	H	3	Y	BES AD GP&TS
◀▶	7/174 - Opportunities for Devolution in North Yorkshire and Consideration of a Combined Authority	Failure to take advantage of Devolution opportunities in North Yorkshire resulting in reduced investment and impact on the growth and jobs across North Yorkshire.	CD BES	CD BES	M	H	H	M	H	2	5	31/12/2016	L	L	M	L	M	5	Y	CD BES
◀▶	7/23 - Major Incident and Business Continuity	Failure to plan and respond effectively to a major incident without major impact upon routine service performance or longer term impact on service delivery. Such incidents may include animal health disease, flooding and other severe weather, Service breakdown including critical resources (eg property, people and ICT) resulting in the need to deliver additional service in order to ensure effective enforcement/containment and minimal disruption to critical services.	CD BES	CD BES	L	M	H	H	M	3	8	30/11/2016	L	M	H	H	M	3	Y	CD BES
◀▶	7/18 - Long Term Waste Service Strategy	Failure to deliver the long term waste service strategy including: overseeing and managing AmeyCespa in their delivery of AWRP and delivery of waste transfer infrastructure, resulting in programme slippage, delays to Service Commencement Date, increased costs potential from involvement in claims, additional procurement costs, reputational damage, potential failure of Project Agreement, impact on partnering arrangements with CoYC, impact on district councils' collection systems, reduced efficiency, criticism from districts and media.	CD BES	CD BES	L	L	H	L	H	3	13	31/07/2016	L	L	H	L	M	3	Y	CD BES



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Identity			Person		Classification											Fallback Plan				
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Pre						RR		Post					FBPlan	Action Manager	
					Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep			Cat
▼	7/175 - Delivering Change Programmes within BES	Failure to embed a strong change culture, processes and supporting capacity to deliver ongoing programmes of change in BES e.g. the BES 2020 Change Programme. This could result in adverse impact on service delivery, inability to fully meet current and future financial requirements, internal and external criticism.	CD BES	BES MT	L	H	M	H	L	3	9	31/03/2017	L	M	M	M	L	5	Y	CD BES

Key	
▲	Risk Ranking has worsened since last review.
▼	Risk Ranking has improved since last review
◀▶	Risk Ranking is same as last review
- new -	New or significantly altered risk