

# NORTH YORKSHIRE COUNTY COUNCIL

## AUDIT COMMITTEE

30 NOVEMBER 2017

### 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 through internal procedures.
- 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) and 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.

#### **3.0 DIRECTORATE UPDATE**

- 3.1 The main areas of note for the Directorate are:
  - I. Governance for all Local Enterprise Partnerships is currently under review by BEIS and it is anticipated that a standard model across the country will be adopted. It is likely this model will be different to the current one for the York, North Yorkshire & East Riding LEP and so NYCC, as the accountable body, is working closely with them and BEIS. It is expected this will be confirmed by April 2018.
  - II. 2020 Programme, whilst this is identified separately within the Directorate Risk Register it is worth commenting on a number of key items being worked on.
    - a. The LED street lighting project is well under way utilising the existing Highway contractor Ringway to install the lanterns; the plan is to conduct a full procurement exercise by March 2018 and compare against Ringway performance. Given the values of investment the project has its own governance arrangements within 2020 to make sure it is progressing well.

- b. Street works permitting, after public consultation the project has now had Executive approval. Similar to the LED project, this project has its own governance arrangements which focus on all aspects of change delivery: people, technology, partner engagement, communication, etc... The project is due to go live on 7 February 2018 with the new permitting model.
- III. Capital Programme, again whilst this is identified separately within the Directorate Risk Register there are key items of note:
  - a. Kex Gill development – the local contribution for the scheme has now been agreed and the project will move for scheme to design into capital delivery. The exact governance arrangements are yet to be confirmed but will be part of the overall Capital Programme.
  - b. A1 Junction 47 – the LEP has confirmed funding to support improvement to the A1 Junction 47. It is early stages of the project and therefore spend risk needs to be monitored closely within the Major Schemes team in BES.
- IV. Community transport (Section 19 and Section 22 permits) has come under increased focus recently and BES have briefed Executive Members (and are due to brief TEEOSC Chair and lead Members in December) in response to recent letters from the Department for Transport. The letters draw attention to recent case law concerning limitations on the work that can be carried out by community transport operators and other organisations who operate under certain exemptions. The letters specifically concern the use of exemptions in the provision of services that have been subject to tender or acquired through competition, and have been provided to the Council in its capacity as a permit issuing authority. We are now seeking to understand the potential implications both for our contracted services and for community transport operators in the County to ensure compliance and continuity of services.

#### **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 A**. 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 B**. 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 2017/18.
- 4.6 No new risks have been identified to the DRR since December 2016 (date of last progress report to the Committee).
- 4.7 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 two of them:
- I. Capital Programme – the completion of Bedale, Aiskew & Leeming Bar Bypass and improvements in asset management through HMEP (Highways Maintenance Efficiency Programme) best practice, the pre risk reduction actions rating has improved. This is reflected having considered the items noted above, namely Kex Gill and Junction 47 as those two schemes are still early in the development process.
  - II. Long Term Waste Service Strategy – as the plant has progressed to commissioning phase the post risk reduction actions have advanced and are now more focused on service commencement. This has resulted in an improved level of confidence in the waste strategy.

## **5.0 RECOMMENDATIONS**

5.1 That the Committee:

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

DAVID BOWE  
Corporate Director – Business & Environmental Services  
November 2017

Report prepared by Michael Leah

## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/173	<b>Risk Title</b>	7/173 - Minerals and Waste Development Framework					<b>Risk Owner</b>	CD BES	<b>Manager</b>	BES AD GP&TS
<b>Description</b>	Failure to submit a Minerals and Waste Development Framework by end of December 2017 (then have examination in public by March 2018) 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						<b>Risk Group</b>	Performance	<b>Risk Type</b>	GP&TS 13/31	
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			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; publication version of plan launched								
<b>Probability</b>	M	<b>Objectives</b>	M	<b>Financial</b>	M	<b>Services</b>	M	<b>Reputation</b>	H	<b>Category</b>	2
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	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	Sat-31-Mar-18			
<b>Reduction</b>	7/319 - Manage plan to address loss of key member of staff; currently managing the loss and keeping staffing capacity under review						BES AD GP&TS	Sat-31-Mar-18			
<b>Reduction</b>	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	Sat-31-Mar-18			
<b>Reduction</b>	13/519 - Continue to keep budget priorities under review						BES AD GP&TS	Sat-31-Mar-18			
<b>Reduction</b>	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	Sat-31-Mar-18			
<b>Reduction</b>	13/528 - Have framework ready to proceed to Examination In Public						BES AD GP&TS	Sun-31-Dec-17			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	M	<b>Services</b>	M	<b>Reputation</b>	H	<b>Category</b>	3
Phase 5 - Fallback Plan											
<b>Fallback Plan</b>										<b>Action Manager</b>	

## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification												
<b>Risk Number</b>	7/189	<b>Risk Title</b>	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan						<b>Risk Owner</b>	CD BES	<b>Manager</b>	BES AD H&T
<b>Description</b>	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.						<b>Risk Group</b>	Performance	<b>Risk Type</b>	Dir Only		
Phase 2 - Current Assessment												
<b>Current Control Measures</b>		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;										
<b>Probability</b>	M	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	L	<b>Reputation</b>	H	<b>Category</b>	2	
Phase 3 - Risk Reduction Actions												
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>			
<b>Reduction</b>	7/318 - Continue to engage with the LEP and support them to manage risks associated with specific scheme programmes (ongoing)						CD BES	Sun-30-Sep-18				
<b>Reduction</b>	7/436 - Continue to ensure sufficient resource in H&T to effectively promote County Council schemes (ongoing)						BES AD H&T	Sun-30-Sep-18				
<b>Reduction</b>	9/580 - Ensure annual budget for advanced design of major schemes						BES AD H&T	Fri-31-Mar-17	Fri-31-Mar-17			
<b>Reduction</b>	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	Sat-31-Mar-18				
<b>Reduction</b>	9/585 - Ensure framework consultant has sufficient and appropriate resources available to undertake the necessary advanced design of major schemes						BES AD H&T	Sat-31-Mar-18				
Phase 4 - Post Risk Reduction Assessment												
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	L	<b>Reputation</b>	H	<b>Category</b>	3	
Phase 5 - Fallback Plan												
									<b>Action Manager</b>			
<b>Fallback Plan</b>	7/537 - LEP to consider re-profiling Local Growth Fund programme								CD BES			

## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/7	<b>Risk Title</b>	7/7 - Statutory Duties					<b>Risk Owner</b>	CD BES	<b>Manager</b>	CD BES
<b>Description</b>	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.						<b>Risk Group</b>	Performance	<b>Risk Type</b>	Dir Only	
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			Service plans; service unit risk registers; allocation of responsibility training for key staff; prof. bodies incl. HSE; CPD; CDM; RMWGs; routine inspecs; 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, inspecs, 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;								
<b>Probability</b>	M	<b>Objectives</b>	M	<b>Financial</b>	M	<b>Services</b>	M	<b>Reputation</b>	H	<b>Category</b>	2
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	7/458 - Ensure that the current H&S procedures are audited to ensure compliance (ongoing)						CD BES	Sun-30-Sep-18			
<b>Reduction</b>	7/459 - Review the H&S arrangements of Contractors and Partner organisations (ongoing)						BES AD H&T	Sun-30-Sep-18			
<b>Reduction</b>	7/461 - To monitor all service plans and risk registers and ensure they are checked on a regular basis (ongoing)						BES MT	Sun-30-Sep-18			
<b>Reduction</b>	7/462 - Review incidents and claims statistics including large losses and develop action plans (ongoing)						BES MT	Sun-30-Sep-18			
<b>Reduction</b>	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	Sun-30-Sep-18			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	M	<b>Services</b>	M	<b>Reputation</b>	H	<b>Category</b>	3
Phase 5 - Fallback Plan											
									<b>Action Manager</b>		
<b>Fallback Plan</b>	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 2017) – detailed**  
 Next Review due: **February 2018**  
 Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/232	<b>Risk Title</b>	7/232 - Growth				<b>Risk Owner</b>	CD BES		<b>Manager</b>	CSD AD SR (ML) BES AD GP&TS
<b>Description</b>	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 and partnership arrangements 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.					<b>Risk Group</b>	Strategic		<b>Risk Type</b>	GP&TS 13/233	
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			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 LGNY 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/Growth Plan Steering Group; Lead role in initiating and developing the NYCC Economic Growth Plan; Work to secure Combined Authority / Devolution deal with Government; NYCC Economic Growth Plan completed and approved by Executive; collaborative working arrangements with District Councils in place; the YNYERH Spatial Framework is in place as a basis for further development work								
<b>Probability</b>	M	<b>Objectives</b>	H	<b>Financial</b>	H	<b>Services</b>	H	<b>Reputation</b>	H	<b>Category</b>	2
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	7/1505 - Carry out corporate implementation of NYCC Economic Growth and Delivery Plan (annual review of progress); growth plan approved now need to produce, implement and monitor an action plan						BES AD GP&TS BES GP&TS HoSP&EG	Sun-31-Dec-17			
<b>Reduction</b>	7/1958 - Embed enhanced collaborative working arrangements with District Councils (annual review of progress) - ongoing						BES AD GP&TS	Sun-30-Sep-18			
<b>Reduction</b>	7/1959 - Ensure further detailed stakeholder engagement and development of the YNYER Spatial Framework to enable effective long-term planning and investment of infrastructure for growth.						BES AD GP&TS	Sat-31-Mar-18			
<b>Reduction</b>	7/1960 - Maintain good working relationship with the LEP (ongoing)						CD BES	Sun-30-Sep-18			
<b>Reduction</b>	7/1961 - Understand and investigate any impacts of Brexit and ensure opportunities are taken						BES AD EPU CD BES	Sun-30-Sep-18			
<b>Reduction</b>	7/1963 - Deliver the natural capital investment strategy environmental enhancement project via the Local Nature Partnership						BES AD GP&TS	Sat-31-Mar-18			
<b>Reduction</b>	7/1964 - Continue to monitor the Devolution agenda and communication with stakeholders to maximise opportunities (ongoing)						BES AD GP&TS	Sun-30-Sep-18			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	H	<b>Financial</b>	H	<b>Services</b>	H	<b>Reputation</b>	H	<b>Category</b>	3
Phase 5 - Fallback Plan											





## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

		Action Manager
<b>Fallback Plan</b>	7/551 - Review and revise existing arrangements for sustainable economic growth	BES AD GP&TS



## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/174	<b>Risk Title</b>	7/174 - Opportunities for Devolution in North Yorkshire and Consideration of a Combined Authority				<b>Risk Owner</b>	CD BES	<b>Manager</b>	CD BES	
<b>Description</b>	Failure to take advantage of Devolution opportunities in North Yorkshire resulting in reduced investment and impact on the growth and jobs across North Yorkshire.					<b>Risk Group</b>	Strategic	<b>Risk Type</b>	EPU 176/211		
Phase 2 - Current Assessment											
<b>Current Control Measures</b>		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;									
<b>Probability</b>	M	<b>Objectives</b>	H	<b>Financial</b>	H	<b>Services</b>	M	<b>Reputation</b>	H	<b>Category</b>	2
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	176/280 - Gain political support both locally and nationally (ongoing)						Chief Exec	Sun-31-Dec-17			
<b>Reduction</b>	176/320 - Negotiate the economic barriers and opportunities which Devolution can take advantage of with Government						CD BES	Sun-31-Dec-17			
<b>Reduction</b>	176/460 - Establish the geography on which to secure Devolution						Chief Exec	Sun-31-Dec-17			
<b>Reduction</b>	176/469 - Develop detailed business cases for all requirements						Chief Exec	Sun-31-Dec-17			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	L	<b>Financial</b>	M	<b>Services</b>	L	<b>Reputation</b>	M	<b>Category</b>	5
Phase 5 - Fallback Plan											
									<b>Action Manager</b>		
<b>Fallback Plan</b>	176/544 - Consider a North Yorkshire deal								CD BES		

## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/24	<b>Risk Title</b>	7/24 - Capital Programme				<b>Risk Owner</b>	CD BES	<b>Manager</b>	CSD AD SR (ML)	
<b>Description</b>	Ineffective management of capital programme including major schemes, LEP, LTP, Waste Management and projects resulting in significant overspend/underspend, weak use of resources, loss of reputation and performance.					<b>Risk Group</b>	Financial	<b>Risk Type</b>	H&T 9/195		
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			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;								
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	M	<b>Reputation</b>	M	<b>Category</b>	3
Phase 3 - Risk Reduction Actions											
<b>Reduction</b>	7/175 - Ensure high quality, timely reports to Capital Projects Board and Exec members covering key service and financial risk items (ongoing)					<b>Action Manager</b>	CSD AD SR (ML)	<b>Action by</b>	Sun-30-Sep-18	<b>Completed</b>	
<b>Reduction</b>	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)					<b>Action Manager</b>	BES AD H&T CSD AD SR (ML)	<b>Action by</b>	Sun-30-Sep-18	<b>Completed</b>	
<b>Reduction</b>	9/450 - Seek to integrate Oracle/Planning Tool/Symology strategic capital programme monitoring					<b>Action Manager</b>	BES AD H&T BES H&T P&IO	<b>Action by</b>	Sun-31-Dec-17	<b>Completed</b>	
<b>Reduction</b>	9/551 - hNY Improvement Action Plan: End to end External Review of the Capital Programme					<b>Action Manager</b>	BES H&T NSM	<b>Action by</b>	Sat-30-Sep-17	<b>Completed</b>	
<b>Reduction</b>	9/555 - hNY Improvement Action Plan: LEAN review of Capital Programme (pending completion of External Review)					<b>Action Manager</b>	BES AD H&T BES H&T HoCS	<b>Action by</b>	Sat-30-Jun-18	<b>Completed</b>	
<b>Reduction</b>	9/592 - Specific monitoring of separately funded capital works, eg Pothole Action Fund, LGF and GWB funded works					<b>Action Manager</b>	BES H&T NSM	<b>Action by</b>	Sat-30-Sep-17	<b>Completed</b>	
<b>Reduction</b>	11/180 - Advice and support for the LEP on financial and partnership governance (ongoing)					<b>Action Manager</b>	CSD AD SR (ML)	<b>Action by</b>	Sun-30-Sep-18	<b>Completed</b>	
<b>Reduction</b>	11/182 - Continue to assess current capabilities and put in place any requirements necessary to enable effective delivery of capital projects (ongoing)					<b>Action Manager</b>	CSD AD SR (ML)	<b>Action by</b>	Sun-30-Sep-18	<b>Completed</b>	
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	M	<b>Reputation</b>	M	<b>Category</b>	3



## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

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Phase 5 - Fallback Plan		Action Manager
<b>Fallback Plan</b>	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 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/23	<b>Risk Title</b>	7/23 - Major Incident and Business Continuity					<b>Risk Owner</b>	CD BES	<b>Manager</b>	CD BES
<b>Description</b>	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.						<b>Risk Group</b>	Performance	<b>Risk Type</b>		
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			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; critical infrastructure network in line with HMEP recommendations in place;								
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	H	<b>Reputation</b>	M	<b>Category</b>	3
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	7/374 - Ensure that resources are flexible enough to manage unexpected major and business continuity incidents (ongoing)						BES MT	Fri-31-Aug-18			
<b>Reduction</b>	7/444 - Continually review procedures plans and training in relation to major incidents (ongoing)						BES MT	Fri-31-Aug-18			
<b>Reduction</b>	7/446 - Annual live or desk top exercises to test plans (ongoing)						BES MT	Fri-31-Aug-18			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	H	<b>Services</b>	H	<b>Reputation</b>	M	<b>Category</b>	3
Phase 5 - Fallback Plan											
									<b>Action Manager</b>		
<b>Fallback Plan</b>	7/75 - Review the plans, media management, advise Members								CD BES		

## BES Directorate

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Phase 1 - Identification											
<b>Risk Number</b>	7/175	<b>Risk Title</b>	7/175 - Delivering Change Programmes within BES					<b>Risk Owner</b>	CD BES	<b>Manager</b>	BES MT
<b>Description</b>	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.						<b>Risk Group</b>	Change Mgt	<b>Risk Type</b>		
Phase 2 - Current Assessment											
<b>Current Control Measures</b>			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;								
<b>Probability</b>	L	<b>Objectives</b>	H	<b>Financial</b>	M	<b>Services</b>	H	<b>Reputation</b>	L	<b>Category</b>	3
Phase 3 - Risk Reduction Actions											
							<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>		
<b>Reduction</b>	7/93 - Continue communication/engagement arrangements with staff on 2020 North Yorkshire programme (ongoing)						BES MT	Sun-30-Sep-18			
<b>Reduction</b>	7/260 - Continue to monitor impacts of BES 2020 Programme (ongoing)						BES MT	Sun-30-Sep-18			
<b>Reduction</b>	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	Sun-30-Sep-18			
<b>Reduction</b>	7/450 - Continue to deliver savings plan as agreed in MTFS / Budget including the 4% shortfall in 2017/18 (review each year)						CSD AD SR (ML)	Sat-31-Mar-18			
<b>Reduction</b>	7/451 - Ensure appropriate allocation of resources to deliver change projects (ongoing)						CSD AD SR (ML)	Sun-30-Sep-18			
<b>Reduction</b>	7/1502 - Support the new ways of working (Modern Council) project as a catalyst for change						BES MT	Mon-30-Apr-18			
<b>Reduction</b>	7/1504 - Continue with implementation of the action plan developed following the staff survey (ongoing)						BES MT	Sun-30-Sep-18			
<b>Reduction</b>	7/1962 - Continually challenge process and procedure for 2020 to ensure relevant bureaucracy and impact on service delivery is constrained						BES MT	Sun-30-Sep-18			
Phase 4 - Post Risk Reduction Assessment											
<b>Probability</b>	L	<b>Objectives</b>	M	<b>Financial</b>	M	<b>Services</b>	M	<b>Reputation</b>	L	<b>Category</b>	5
Phase 5 - Fallback Plan											
										<b>Action</b>	



## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

Report Date: **30 August 2017 (cat)**

		Manager
<b>Fallback Plan</b>	7/539 - Review approach to 2020 NY Change Programme and cultural change management within BES	CD BES



## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**  
 Next Review due: **February 2018**  
 Report Date: **30 August 2017 (cat)**

Phase 1 - Identification											
<b>Risk Number</b>	7/18	<b>Risk Title</b>	7/18 - Long Term Waste Service Strategy				<b>Risk Owner</b>	CD BES	<b>Manager</b>	CD BES	
<b>Description</b>	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.					<b>Risk Group</b>	Performance	<b>Risk Type</b>	W&CS 14/168		
Phase 2 - Current Assessment											
<b>Current Control Measures</b>		AWRP: Signed Project Agreement; property secured; planning permission in place; 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; 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; project board and team including CoYC; agreement for Teckal									
<b>Probability</b>	L	<b>Objectives</b>	L	<b>Financial</b>	M	<b>Services</b>	L	<b>Reputation</b>	H	<b>Category</b>	3
Phase 3 - Risk Reduction Actions											
						<b>Action Manager</b>	<b>Action by</b>	<b>Completed</b>			
<b>Reduction</b>	7/373 - Seek to formalise joint contract management arrangements with CoY Council including development of devolved plans					BES AD TW&CS	Sun-31-Dec-17				
<b>Reduction</b>	7/375 - AWRP – Monitor the AWRP project risk register					BES AD TW&CS	Sat-31-Mar-18				
<b>Reduction</b>	7/376 - AWRP – Work with the independent tester to enable Certification of the readiness (July 2017) and takeover (Jan 2018)					BES AD TW&CS	Wed-31-Jan-18				
<b>Reduction</b>	7/377 - AWRP - Carry out a dry run of the contract for Allerton Park with Amey prior to service commencement					BES AD TW&CS	Sun-31-Dec-17				
<b>Reduction</b>	14/221 - WT – Explore further opportunities for sharing with districts (via co-location &/or financial contribution) (ongoing)					BES AD TW&CS	Sat-30-Jun-18				
<b>Reduction</b>	14/343 - WT - Complete collaboration agreement with Craven DC					BES TW&CS WSM	Sat-30-Jun-18				
<b>Reduction</b>	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 (63% compliance @ Jun 17)					BES AD TW&CS	Sun-31-Dec-17				
<b>Reduction</b>	14/482 - AWRP - Regular review of key dates schedules / programme & register of obligations					BES AD TW&CS	Sun-31-Dec-17				
<b>Reduction</b>	14/484 - AWRP - Continually monitor delivery of planning requirements and conditions, including S106 and S278 agreements; s278s now complete					BES TW&CS WCM	Sun-31-Dec-17				





## BES Directorate

Risk Register: **Month 0 (August 2017) – detailed**

Next Review due: **February 2018**

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<b>Reduction</b>	14/516 - WT - Confirm legal agreement with Ryedale over the funding	BES AD TW&CS	Tue-31-Oct-17	
<b>Reduction</b>	14/517 - WT - Secure the necessary planning consents for Ryedale	BES TW&CS WSM	Thu-30-Nov-17	
<b>Reduction</b>	14/518 - WT - Secure necessary internal approvals for Ryedale construction and funding	BES TW&CS WSM	Tue-31-Oct-17	
<b>Reduction</b>	14/795 - WT – Establish need and consider options for transfer station in Thirsk area	BES TW&CS WSM	Mon-31-Jul-17	Mon-31-Jul-17
<b>Phase 4 - Post Risk Reduction Assessment</b>				
<b>Probability</b>	L	<b>Objectives</b>	L	<b>Financial</b>
			M	<b>Services</b>
			L	<b>Reputation</b>
			M	<b>Category</b> 5
<b>Phase 5 - Fallback Plan</b>				
				<b>Action Manager</b>
<b>Fallback Plan</b>	7/73 - Rely short term on recently procured arrangements, review strategy, media management			CD BES



## BES Directorate

Risk Register: **Month 0 (August 2017) – summary**

Report Date: **30 August 2017 (cat)**

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		
◀▶	<b>7/173 - Minerals and Waste Development Framework</b>	Failure to submit a Minerals and Waste Development Framework by end of December 2017 (then have examination in public by March 2018) 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	CD BES	BES AD GP&TS	M	M	M	M	H	2	6	31/12/2017	L	M	M	M	H	3	N	
◀▶	<b>7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan</b>	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
◀▶	<b>7/7 - Statutory Duties</b>	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	5	30/09/2018	L	M	M	M	H	3	Y	CD BES
◀▶	<b>7/232 - Growth</b>	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 and partnership arrangements 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	CSD AD SR (ML) BES AD GP&TS	M	H	H	H	H	2	7	31/12/2017	L	H	H	H	H	3	Y	BES AD GP&TS

## BES Directorate

Risk Register: **Month 0 (August 2017) – summary**

Report Date: **30 August 2017 (cat)**

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		
◀▶	<b>7/174 - Opportunities for Devolution in North Yorkshire and Consideration of a Combined Authority</b>	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	4	31/12/2017	L	L	M	L	M	5	Y	CD BES
▼	<b>7/24 - Capital Programme</b>	Ineffective management of capital programme including major schemes, LEP, LTP, Waste Management and projects resulting in significant overspend/underspend, weak use of resources, loss of reputation and performance.	CD BES	CSD AD SR (ML)	L	M	H	M	M	3	8	30/09/2017	L	M	H	M	M	3	Y	CD BES
◀▶	<b>7/23 - Major Incident and Business Continuity</b>	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	3	30/06/2018	L	M	H	H	M	3	Y	CD BES
◀▶	<b>7/175 - Delivering Change Programmes within BES</b>	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	8	31/03/2018	L	M	M	M	L	5	Y	CD BES
▼	<b>7/18 - Long Term Waste Service Strategy</b>	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	CD BES	CD BES	L	L	M	L	H	3	13	31/07/2017	L	L	M	L	M	5	Y	CD BES



## BES Directorate

Risk Register: **Month 0 (August 2017) – summary**  
 Report Date: **30 August 2017 (cat)**

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		
		councils' collection systems, reduced efficiency, criticism from districts and media.																		

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

