

North Yorkshire County Council

Audit Committee

26 October 2020

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 Business and Environmental Services (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. COVID-19

The impact of COVID-19 has been extensive across all walks of life and whilst it is too significant to ignore for this report, in the same breath, it cannot be covered in great detail; and so, this section will cover the impact and response by each service in the Directorate at a relatively high level.

Highways & Transportation

- Provision of traffic management and safe access to local public spaces, e.g. footpaths into town centres, household waste recycling centres (HWRCs), etc...In the example of town centres, North Yorkshire County Council has received Emergency Active Travel funding from Government to invest in foot and cycle paths; the aim of which is to encourage walking and cycling to help alleviate demand for public transport.
- Support to Ringway – as the front-line delivery agency – to help ensure staff on the ground were and are able to operate in a relatively low risk & safe environment. This was and continues to be critical in making sure the roads in North Yorkshire are open to travel.
- Looking ahead and, as we approach the winter period, the service needs to prepare for – what now looks likely – a second wave of COVID-19 coupled with poor weather. The service, working closely with suppliers including Ringway, continue to review business continuity & service resilience plans. Whilst every winter period presents its own challenges, the coming season requires particular focus.

Waste Management

- One of the immediate responses to lockdown and, for the safety of public and staff, led to the closure of HWRCs. Naturally this created pressure elsewhere within the waste management system plus required additional public communication. Subsequently it was determined safe for a phased reopening of those sites and working with the Highways service & Yorwaste safe practice was put in place to reduce risk to individuals, for example traffic management measures were imposed to control numbers of people on site at any one time.
- On behalf of NYCC, waste transfer operations are completed through Yorwaste. It was and continues to be important that front-line staff are able to complete their activities in a relatively safe way. Aside from HWRCs, Yorwaste manage a number of waste transfer stations across the county. These sites are critical to how waste moves from collection to disposal and so ensuring continued operation is important to the overall delivery of the service. Yorwaste have put safety measures in place to reduce risk, as far as able, to allow the operation to continue. For example, the company has placed emphasis on the health & safety of staff and has received recognition on its good practice (e.g. ISO 45001).
- As mentioned, lockdown disturbed the waste market and, whilst not directly a safety issue, it did create financial and commercial issues in drawing sufficient waste into Allerton Waste Recovery Park (AWRP). In the immediate term, the amount of waste produced nationally dropped significantly which on face-value could be described as a positive. However, in the context of maximising value to NYCC this did create financial pressure as income from waste collection also dropped substantially. It is still early to conclude what the future of the waste management market looks like although more recently prices have increased again.

Integrated Passenger Transport (IPT)

The Public Transport team covers three main areas of travel: home to school transport (H2S), public transport and local bus services, and meeting internal staff demand for transport through fleet management.

- Demand for H2S transport is clearly aligned to schools being open. With schools open, the challenge is providing services adhering to Government policy on safe practice. On one level, this is simply requiring the driver to wear a facemask, however a more complex level is the necessity for social distancing getting on and off the vehicle but also in the vehicle itself. The service continues to react to updates in guidance and also regularly communicate with parents and schools.
- With schools closed during lockdown and significant reduction in demand for public transport, there is substantial risk that local travel operators are at risk of insolvency. For NYCC to provide long term H2S transport services as well as help support public transport in the county, it has been important to provide support to the sector throughout COVID-19. As well as Government funding, through the Dedicated H2S Transport Grant and the COVID-19 Business Service Support Grant, NYCC has provided direct financial aid to bus operators in the area. NYCC's Supply Chain Resilience Board has provided support and advice to bus operators via the IPT service (e.g. advice on the furlough scheme) as well as financial stimuli directly to operators. Whilst it is too soon to call on the long-term impact of this activity, feedback from the sector has been resoundingly in favour of this intervention.

Economy & Business

As has now been widely reported, the country's economy experienced an unprecedented shock due to lockdown measures and North Yorkshire was not immune to this. As part of NYCC's role of helping protect jobs and stimulate the economy, in conjunction with the Local Enterprise Partnership, NYCC have taken the following actions:

- Provided support & advice to local businesses, e.g. access Government's business support grants & loans, the furlough scheme (and more latterly the Job Retention Scheme) and general business advice.
- Coordination of access to public spaces, e.g. town centres, in conjunction with services within NYCC and external partners, e.g. District Councils, to help keep business open.
- Engaging Government analysing data on local economic impact to explore options for more targeted intervention (e.g. response to farming and tourism sectors) and subsequently any funding or financial support opportunities.

Finally, staff in the Directorate had to accommodate a different way of working and – through the support of technology – moved nearly entirely to home based operation (excepting front-line staff).

II. NY Highways

Following the Council's decision in 2019 to move Highways operations from the external provider Ringway into an arm's length 'Teckal' company (NY Highways), a project team has formed to coordinate a smooth transition to that new arrangement. In order to minimise risk of service disruption as far as possible, the project's aim is to 'lift & shift' the current operation from Ringway into NY Highways (NYH). To achieve this the project has been shaped to encompass the following main building blocks:

Legal & Governance

In order for the company to have legal status it needs to be setup in the right way. This area looks at:

- Board of Directors – balanced composition following sector best practice advice, e.g. recruitment of an independent Non-Executive Director (NED).
- Articles of Association – which governs which decisions the company is able to take in its own right and which decisions are reserved for the shareholder (NYCC).
- Contract management – both in respect of the existing contract with Ringway and the future contract between NYH and NYCC.
- Trademarking
- Finance & Procurement rules – determining how the company operates day-to-day.

Workforce – Communication & Engagement

People are an integral part of how the service operates, quite simply without an engaged workforce there will be no service to run. This workstream is focused on ensure staff feel engaged with the process and any and all queries are responded to appropriately through regular and specific communications.

Additionally, the Managing Director role has now been recruited. This allows the company to have a 'voice' in decision making and, importantly, means the company has a degree of autonomy from the client. In practice, this means decisions taken by the project have been tested in terms of how the operations will work in earnest.

Procurement, IT Infrastructure & Support Services

The final building block for the company is the supporting infrastructure which enables the business to operate. As the overall objective is to 'lift & shift' the operation, this workstream is looking at how best NYCC can replicate the services provided by Ringway Head Office. For example, a key aspect is the technology and what systems and processes will exist on day one; accordingly, the project is engaging with Ringway staff in conjunction with the NYH Managing Director to make sure the technology is appropriate for the needs of the business.

III. LEP Governance

As was featured in the Dec 2019 Audit Committee report, the future status of the LEP (Local Enterprise Partnership) is still not concluded. Confirmed actions since last time, and to meet Government's criteria through the Mary Ney review, are:

- A shadow company for the LEP has been formed which will sit as a shell in the background pending the outcome of current devolution discussions. This is to meet the criteria for all LEPs to have an independent "legal personality".
- All LEPs were instructed to remove overlapping geographic boundaries. For York, North Yorkshire & East Riding LEP there were two points of overlap that existed: some of the North Yorkshire Districts & York had status within Leeds City Region LEP; and East Riding is part of the Hull/Humber LEP. Consequently, those LEPs have taken respective decision to realign boundaries such that no overlap exists. This means that this LEP now covers York & North Yorkshire exclusively.

Also, the LEP has been in receipt of circa £15m from Government's Getting Building Fund which will be invested through a number of public sector bodies, including NYCC, into projects aimed at stimulating local economic recovery post COVID-19 wave one. Given NYCC's role as accountable body for the LEP, oversight will occur through the life of that fund.

IV. Capital Programme

Whilst this is identified separately within the Directorate Risk Register there are key items of note:

- a. Through oversight at Project Board level, the A59 Kex Gill Diversion project has currently been developed to business case stage and submitted to the Department for Transport for review and comment. Whilst the DfT response to the business case has been favourable, funding has not yet been confirmed. On this basis, the funding status project is at flagged as at risk.
- b. As the LEP enters the final stages of the Local Growth Fund allocation window of March 2021, the Department for Business, Energy & Industrial Strategy (BEIS) are engaging with local teams to assess spending & delivery risks of individual projects. In the role of accountable body, NYCC are working closely with the LEP and BEIS to explore options to help mitigate such risks. An example of risk mitigation is through a mechanism called "capital switching"; if there is risk a project will complete after March 2021, possible permission will be granted to allow the funding for that project to be swapped with another one that will be delivered within the timeframe. This helps ensure maximum funding is received at a local level.

- c. As previously reported, best practice for capital management is to utilise a method called “overprogramming”. Whilst this could be considered ‘business as usual’ for the service, Audit Committee should be aware of the associated risks and what governance is in place to help mitigate them. In short, the service programme to spend more than the capital budget allocated in the financial year on the basis that typically some schemes are delayed for a variety of reasons, overprogramming therefore improves the likelihood of spending on budget but at the risk of overspending. The Capital Projects Board monitor this practice on a monthly basis taking intervention as appropriate. The position is the reported to Executive through the Capital Plan and quarterly forecast updates.

4.0 Directorate Risk Register

- 4.1 The Directorate Risk Register (DRR) is the end product of a systematic process that identifies risks at Service level, and then aggregates these via a sieving process to Directorate level. A similar process sieves Directorate level risks into the Corporate Risk Register.
- 4.2 The Risk Prioritisation System used to derive all risk registers across the Council 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 as a whole in the year.

- 4.3 A summary of the DRR is also attached at **Appendix A**. 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.
- 4.4 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 actions.
- 4.5 A review of the BES DRR took place at the end of September and has been signed off by the Director and Management Team. A further review of the register will take place in Q4 of 2020/21.
- 4.6 The key changes that have been made to the DRR since December 2019 (date of last progress report to the Committee) are as follows:-
- Opportunities for Devolution risk – this risk is now clearly linked with delivery of Local Government Reorganisation, and the second ranking for this risk has been increased due to the uncertainty around this subject at the time of writing.
 - Minerals and Waste Joint Plan risk – the date for adoption has been put back to June 2021 due to the required consultation on the main modifications to the Plan and the required assessments that need to be done.
 - Long Term Waste Service Strategy risk – this risk continues to focus on a single system of waste and awaits the forthcoming new legislation on this subject.
 - Growth risk – as well as growth we have incorporated a recovery plan from the impact of Coronavirus into this risk in order to assist North Yorkshire businesses and communities.

- Delivery of Transport Schemes within the LEP's Strategic Economic Plan risk – the first ranking has been reduced as it is thought that the probability can be reduced from M to L. This is because it is thought that the main Schemes will be able to use the allocated LEP funding by the end of March 2021 and be delivered.
- Major Incident and Business Continuity risk – it is recognised that although the Directorate has continued to provide quality services throughout the Coronavirus period, it is important to ensure that there is sufficient capacity to also be able to manage a further major incident should the situation arise.
- Highways Teckal – this key project to provide highways maintenance services throughout the County is moving on a pace. The first ranking has been reduced as it is thought that the probability can be reduced from M to L as there is confidence that arrangements will be in place by the end of May 2021, although there are many actions that continue and will need to be taken.
- The Tour de Yorkshire risk has been taken off the Directorate risk register for the moment.

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

Report prepared by Michael Leah

Risk Register: Month 0 (October 2020) – summary

Next Review due: March 2021

Report Date: 9th October 2020 (cpc)

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		
▲	7/174 - Opportunities for Devolution in York and North Yorkshire and Consideration of a Combined Authority	Failure to take advantage of Devolution opportunities in York and North Yorkshire resulting in reduced investment and impact on the growth and jobs across North Yorkshire.	CD BES	CD BES	H	H	H	M	H	1	8	31/03/2021	M	L	H	L	M	2	Y	CD BES
◀▶	7/173 - Minerals and Waste Joint Plan	Failure to complete the examination process and then adopt the Minerals and Waste Joint Plan by the end of June 2021 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	7	31/10/2020	L	M	M	M	H	3	Y	BES AD GP&TS
◀▶	7/18 - Long Term Waste Service Strategy	Failure to further develop the long term waste service strategy (including total system efficiency, realisation of commercial opportunities through increasing recycling, reducing residual household waste, maximising potential through flexibility and reconfiguration to take advantage of opportunities through changes in market conditions, changes in waste composition and changes in consumer behaviour) following delivery of AWRP results in lost efficiencies, inflexibility, reputational damage, poor value for money and ineffectiveness of AWRP	CD BES	BES AD TW&CS	M	L	H	L	H	2	5	31/03/2021	L	L	H	L	M	3	Y	CD BES
◀▶	7/232 - Growth	Failure to deliver the ambition of Sustainable Economic Growth through the delivery of the right housing, transport, and connectivity infrastructure and recover from the Coronavirus, 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 recover from the impact of the Virus, 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	M	2	8	31/12/2020	L	H	H	H	L	3	Y	BES AD GP&TS

Risk Register: **Month 0 (October 2020) – summary**

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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		
▼	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan	Failure to deliver the programme of transport schemes (particularly Harrogate Rail-line, Scarborough junction, A19 Chapel Haddlesey and A1 Junction 47) 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	L	M	H	L	H	3	5	31/03/2021	L	M	H	L	H	3	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	6	31/05/2021	L	M	H	H	M	3	Y	CD BES
◀▶	7/24 - Capital Programme	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	7	31/12/2020	L	M	H	M	M	3	Y	CD BES
▼	7/247 - Highways Teckal	Failure to have arrangements for Highways Maintenance Services in place by end of current contracts (June 2021) resulting in service disruption, increased costs and criticism Risk Owner/Manager/Group all the same as this risk	CD BES	BES AD H&T	L	H	H	H	H	3	7	30/11/2020	L	H	H	H	H	3	Y	BES H&T HoCS
◀▶	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	L	M	M	M	H	3	7	30/09/2021	L	M	M	M	H	3	Y	CD BES

Risk Register: **Month 0 (October 2020) – summary**

Next Review due: **March 2021**

Report Date: **9th October 2020 (cpc)**

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 Beyond 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	H	H	M	3	6	31/03/2021	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

Risk Register: **Month 0 (October 2020) – detailed**Next Review due: **March 2021**Report Date: **9th October 2020 (cpc)**

Phase 1 - Identification											
Risk Number	7/174	Risk Title	7/174 - Opportunities for Devolution in York and North Yorkshire and Consideration of a Combined Authority				Risk Owner	CD BES	Manager	CD BES	
Description	Failure to take advantage of Devolution opportunities in York and 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; consensus of Yorkshire local authorities on Devolution geography and opportunities; York and North Yorkshire geography and proposition established;									
Probability	H	Objectives	H	Financial	H	Services	M	Reputation	H	Category	1
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/1968 - Develop a York/North Yorkshire proposition including a combined authority, in response to Govt. continuing to reject One Yorkshire					Chief Exec	Tue-30-Jun-20	Sun-31-May-20			
Reduction	7/1969 - Carry out consultation for a York/North Yorkshire proposition and following approval, submit to Govt (in July 2020) and then negotiate and obtain relevant financial opportunities and powers for a combined authority.					Chief Exec	Sun-31-Oct-21				
Reduction	13/533 - Continue to monitor the Devolution agenda and communication with stakeholders to maximise opportunities (ongoing); the York/NY geography is being used in some areas of growth work (ongoing)					BES AD GP&TS	Sun-31-Oct-21				
Reduction	176/280 - Gain political support both locally and nationally (ongoing)					Chief Exec	Sun-31-Oct-21				
Reduction	176/320 - Negotiate the economic barriers and opportunities which Devolution can take advantage of with Government including interim devolution deals					CD BES	Sun-31-Oct-21				
Reduction	176/460 - Establish the geography on which to secure Devolution (consensus of Yorkshire local authorities achieved, support from Govt Minister required)					Chief Exec	Fri-31-Jul-20	Sat-29-Feb-20			
Reduction	176/469 - Develop detailed business cases for different geographies					Chief Exec	Fri-31-Jul-20	Sat-29-Feb-20			
Reduction	176/470 - Ensure development and implementation of a plan for the delivery of LGR (estimated timescale)					Chief Exec	Wed-31-Mar-21				
Phase 4 - Post Risk Reduction Assessment											
Probability	M	Objectives	L	Financial	H	Services	L	Reputation	M	Category	2
Phase 5 - Fallback Plan											
Fallback Plan	176/544 - Carry out further discussions with Central Government if required							Action Manager			
								CD BES			

Risk Register: Month 0 (October 2020) – detailed

Next Review due: March 2021

Report Date: 9th October 2020 (cpc)

Phase 1 - Identification												
Risk Number	7/173	Risk Title	7/173 - Minerals and Waste Joint Plan						Risk Owner	CD BES	Manager	BES AD GP&TS
Description	Failure to complete the examination process and then adopt the Minerals and Waste Joint Plan by the end of June 2021 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						Risk Group	Performance	Risk Type	GP&TS 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; publication version of plan launched									
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 Local Plan							BES AD GP&TS	Wed-30-Jun-21			
Reduction	7/582 - Review the Sustainability Appraisal / Strategic Environmental Assessment and Appropriate Assessment under the Habitats Regulations being produced by wsp							BES AD GP&TS	Sat-31-Oct-20			
Reduction	7/583 - Go out to consultation on the proposed main modifications to the plan and the above assessments							BES AD GP&TS	Thu-31-Dec-20			
Reduction	7/584 - Request Inspector response to main modifications and obtain approval from Full Council							BES AD GP&TS	Wed-31-Mar-21			
Reduction	13/54 - Continue to review progress against milestones, review and update milestones as necessary							BES AD GP&TS	Wed-30-Jun-21			
Reduction	13/519 - Continue to keep budget priorities under review							BES AD GP&TS	Wed-30-Jun-21			
Reduction	13/523 - Continue to monitor new developments eg impact of central govt planning reform, fracking, using planning officers society and peer groups							BES AD GP&TS	Wed-30-Jun-21			
Phase 4 - Post Risk Reduction Assessment												
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	H	Category	3	
Phase 5 - Fallback Plan												
										Action Manager		
Fallback Plan	13/553 - If plan is deemed to be unsound we would need to recommence the local plan work								BES AD GP&TS			

Risk Register: **Month 0 (October 2020) – detailed**Next Review due: **March 2021**Report Date: **9th October 2020 (cpc)**

Phase 1 - Identification											
Risk Number	7/18	Risk Title	7/18 - Long Term Waste Service Strategy				Risk Owner	CD BES	Manager	BES AD TW&CS	
Description	Failure to further develop the long term waste service strategy (including total system efficiency, realisation of commercial opportunities through increasing recycling, reducing residual household waste, maximising potential through flexibility and reconfiguration to take advantage of opportunities through changes in market conditions, changes in waste composition and changes in consumer behaviour) following delivery of AWRP results in lost efficiencies, inflexibility, reputational damage, poor value for money and ineffectiveness of AWRP					Risk Group	Performance	Risk Type	W&CS 14/168		
Phase 2 - Current Assessment											
Current Control Measures			Waste Strategy in place; NYCC/CoY/Yorwaste working group in place; AWRP; consultants advising on systems; intelligence through networking; network of waste transfer stations; access to external advisors; Contract Management Manual/Register of Obligations; suite of monitoring documents in place; Project Board in place; monthly project team meetings; S106 and S278 delivery arrangements in place; network of Amey Cespa clients; monthly compliance monitoring check; regular review of key dates schedules / programme: agreed approach with districts; existing contracts in place; extensive modelling; agreement for Teckal; feasibility with consultants and modelling of opportunities of single system for waste and incentive for reduced residual waste bin capacity completed; Single System project identified as high priority; agreement on settlement of disputes relating to first contract year; new head of service appointed;								
Probability	M	Objectives	L	Financial	H	Services	L	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/376 - Prepare a position statement for discussion with Management Board and CX Group (Mar 2021). Develop and implement a business case for a single system for waste following introduction of legislation					BES AD TW&CS	Fri-31-Dec-21				
Reduction	7/377 - Continue to review Government resources and waste strategy including food waste collections, and engage with Government through network groups to help shape the next level of legislation. Continue to assess impacts and opportunities.					BES AD TW&CS	Wed-31-Mar-21				
Reduction	7/419 - Continually review appetite and benefit for separate food waste collections (work with Yorwaste) alongside the introduction of new legislation (ongoing)					BES AD TW&CS	Fri-31-Dec-21				
Reduction	7/586 - Monitor the movement in the potential divestment of Amey's interest in the contract and if necessary take appropriate advice on how to protect the Council's interest.					BES AD TW&CS	Wed-31-Mar-21				
Reduction	14/1961 - Discuss and resolve ongoing performance issues of AWRP such as level of insurance saving to be shared, part reliability and contingency planning at AWRP					BES TW&CS HoS(W)	Sat-31-Jul-21				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	H	Services	L	Reputation	M	Category	3
Phase 5 - Fallback Plan											
Fallback Plan	7/73 - Rely short term on recently procured arrangements, review strategy, media management							Action Manager			
								CD BES			

Risk Register: **Month 0 (October 2020) – detailed**

Next Review due: **March 2021**

Report Date: **9th October 2020 (cpc)**

Phase 1 - Identification											
Risk Number	7/232	Risk Title	7/232 - Growth			Risk Owner	CD BES	Manager	CSD AD SR (ML) 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 and recover from the Coronavirus, 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 recover from the impact of the Virus, attract, retain and grow businesses, increase the house building rate, raise living standards and increase spending power.				Risk Group	Strategic	Risk Type	GP&TS 13/233			
Phase 2 - Current Assessment											
Current Control Measures			Direct contribution and support, including through provision of accountable body function, to the YNYER Local Enterprise Partnership; maintenance of an Economic Growth Function within BES; Proactive engagement in LGNYYP partnership working including through Directors of Development, Chief Housing Officers, Heads of Planning and Economic Development Officer Groups; Lead role in enabling and further developing YNYERH Spatial Framework; Lead role in supporting and developing the NYCC Growth Plan Steering Group and sub-ordinate arrangements; Lead role in initiating and developing the NYCC Economic Growth Plan and annual Delivery Framework (endorsed by Executive); Work to monitor and support opportunities to secure alternative governance arrangements including a Devolution deal with Government; District Liaison groups established with 76 Districts; Brexit consultations undertaken on behalf of NYCC and responses intelligence used for strategic response including Devolution requirements; Phase 2 options and plans for strategic natural capital investment defined in strategic Devolution documents with monetary and resource requirements;								
Probability	M	Objectives	H	Financial	H	Services	H	Reputation	M	Category	2
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed			
Reduction	7/1502 - Carry out an annual review of progress of the NYCC Economic Growth and Delivery Plan and Action Plan including the Coronavirus recovery plan (ongoing) (refreshed draft Growth Plan produced as at 31 March 2020. Timetable including consultation agreed at Growth Plan Steering Group 1 July and an Executive meeting is booked for Dec 2020)					BES AD GP&TS BES GP&TS HoSP&EG	Thu-31-Dec-20				
Reduction	7/1958 - Continue to embed enhanced collaborative working arrangements with District Councils (annual review of progress and for 2020 there is the need to consolidate the process with a pipeline of strategic projects to work together on.) - ongoing					BES AD GP&TS	Fri-31-Dec-21				
Reduction	7/1959 - Complete YNYERH Spatial Framework SDZ Long Term Development Statements to enable effective long-term planning and investment of infrastructure for growth; approval by LGNYYP Board / Leaders for publication and open release of the framework					BES AD GP&TS	Thu-31-Dec-20				
Reduction	7/1960 - Maintain good working relationship with the LEP (including work to align LEP funding with the Directors of Development master planning funding. Also teams working with the LEP to deliver a series of Webinars) (ongoing)					CD BES	Fri-31-Dec-21				
Reduction	7/1961 - Continue to understand and investigate any impacts of Brexit and ensure opportunities are taken					BES AD EPU CD BES	Thu-31-Dec-20				
Reduction	7/1971 - Continue to understand and investigate the impacts of the Coronavirus pandemic and work with partners to develop a recovery plan to assist North Yorkshire businesses (including Trading Stds contributing a range of business advice/support initiatives to the plan.)					BES AD GP&TS CD BES	Fri-31-Dec-21				
Reduction	13/532 - Deliver strategic natural capital investment via the Local Nature Partnership (LEP/LNP lead) Taking forward phase 2 implementation options with partners (Local Authorities, DEFRA, Universities, Business) with link to 25 Year Environment plan and government policy changes (planning net gain, agriculture ELMS, Local Industrial Strategy & Natural Capital plans) ongoing.					BES AD GP&TS	Wed-31-Mar-21				
Reduction	13/533 - Continue to monitor the Devolution agenda and communication with stakeholders to maximise opportunities (ongoing); the York/NY geography is being used in some areas of growth work (ongoing)					BES AD GP&TS	Sun-31-Oct-21				
Phase 4 - Post Risk Reduction Assessment											

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Probability	L	Objectives	H	Financial	H	Services	H	Reputation	L	Category	3
Phase 5 - Fallback Plan											
										Action Manager	
Fallback Plan	7/551 - Review and revise existing arrangements for sustainable economic growth									BES AD GP&TS	

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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 (particularly Harrogate Rail-line, Scarborough junction, A19 Chapel Haddlesey and A1 Junction 47) 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; necessary local contributions secured for the schemes in the LEP programme that are being delivered (Mar 2021);								
Probability	L	Objectives	M	Financial	H	Services	L	Reputation	H	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/318 - Continue to engage with the LEP (Local Growth Fund concludes end of Mar 2021) and support them to manage risks associated with specific scheme programmes (ongoing)						CD BES	Wed-31-Mar-21			
Reduction	7/436 - Continue to ensure sufficient resource in H&T to effectively promote County Council schemes (ongoing)						BES AD H&T	Wed-31-Mar-21			
Reduction	9/538 - Complete review of the major schemes reserve list complete and agreed by Exec Members in June 2019						BES H&T HoNS	Wed-30-Sep-20	Fri-31-Jan-20		
Reduction	9/583 - Ensure NYCC identify appropriate sources of funding to provide at least a minimum of 15% local capital contribution to the scheme implementation costs; ongoing						BES AD H&T BES H&T HoNS	Wed-31-Mar-21			
Reduction	9/585 - Continue to work closely with WSP to ensure that resources match programme of transport schemes requirements (ongoing)						BES AD H&T	Wed-31-Mar-21			
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	

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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 Yowaste 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;								
Probability	L	Objectives	M	Financial	H	Services	H	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/374 - Ensure that resources are flexible enough to manage unexpected major and business continuity incidents including Coronavirus (ongoing)					BES MT	Thu-30-Sep-21				
Reduction	7/444 - Continually review procedures plans and training in relation to major incidents (ongoing)					BES MT	Thu-30-Sep-21				
Reduction	7/446 - Annual live or desk top exercises to test plans (ongoing)					BES MT	Thu-30-Sep-21				
Reduction	7/587 - Ensure sufficient capacity is present to be able to manage a major incident as usual during the Coronavirus period					BES MT	Mon-31-May-21				
Reduction	7/1970 - Consider recent significant natural events relative to the impact of climate change and plan accordingly					BES MT	Thu-30-Sep-21				
Reduction	7/1972 - Consider change over to NY Highways from Ringway, and develop and implement an appropriate incident response and continuity plan					BES AD H&T	Mon-31-May-21				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	H	Services	H	Reputation	M	Category	3
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	7/75 - Review the plans, media management, advise Members								CD BES		

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Phase 1 - Identification											
Risk Number	7/24	Risk Title	7/24 - Capital Programme				Risk Owner	CD BES	Manager	CSD AD SR (ML)	
Description	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.					Risk Group	Financial	Risk Type	H&T 9/195		
Phase 2 - Current Assessment											
Current Control Measures			Project management - regular financial and project planning, monitoring and reporting of the projects; risk assessment for major schemes; project management training for key BES staff; PIR of major projects; lessons learnt/implemented; Programme management - operational and strategic programme management/monitoring and reporting through hNY, H&T and BES management structures and Executive Members, risk assessment carried out in Capital Plan reports feed into MTFs; highways capital programme resource / manager to drive delivery of the programme implemented; Schemes portal; 3 year rolling works programme with realistic targets and alignment of internal and external delivery resources; specific monitoring of separately funded capital works; LEAN review of Capital Programme completed; introduction of efficiency measures for capital projects and programmes where relevant; lessons learnt/implemented; external review of capital programme carried out; Highways Maintenance Investment tool being used; Governance – Gateway training carried out; Capital Projects Board in operation; sub group of Capital Projects Board in place when required; Finance Officer support to Capital; risk register for major schemes and schemes in the capital works programme; project board for major schemes; Infrastructure Delivery Working Group; Development Management Working Group; assurance framework for LEP in place, contract management health measurement and reporting in place; substantial assurance audit report;								
Probability	L	Objectives	M	Financial	H	Services	M	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/427 - Ensure effective delivery of the Transforming Cities Fund (TCF) project in Skipton, Harrogate and Selby working with District Councils and within the WYCA governance arrangements (project end March 2023); TCF project manager appointed to start in Oct 2020						BES AD H&T	Thu-30-Sep-21			
Reduction	7/581 - Active engagement in setting up of the Teckal and ensuring seamless transition from RIS to NYHighways						BES AD H&T	Mon-31-May-21			
Reduction	9/353 - Establish appropriate actions and contingencies dependent upon risks including recommendations from LEAN review; actions introduced						BES AD H&T	Fri-31-Jul-20	Tue-31-Mar-20		
Reduction	9/355 - Ensure appropriate level of resources is allocated in line with budget expectations, including ongoing lobbying to understand 21/22 capital budget position						BES AD H&T	Thu-31-Dec-20			
Reduction	9/472 - Ensure effective engagement with Veritau and suitable post audit responses are produced following reviews of different aspects of capital programme						BES H&T HoNS	Thu-30-Sep-21			
Reduction	9/551 - hNY Improvement Action Plan including continuous improvement within the service						BES H&T HoNS	Thu-30-Sep-21			
Reduction	11/182 - Continue to assess current capabilities and put in place any requirements necessary to enable effective delivery of capital projects (carried out through Capital Projects Board) (ongoing)						CSD AD SR (ML)	Wed-30-Sep-20	Wed-30-Sep-20		
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				

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Phase 1 - Identification											
Risk Number	7/247	Risk Title	7/247 - Highways Teckal					Risk Owner	CD BES	Manager	BES AD H&T
Description	Failure to have arrangements for Highways Maintenance Services in place by end of current contracts (June 2021) resulting in service disruption, increased costs and criticism Risk Owner/Manager/Group all the same as this risk						Risk Group	Contracts	Risk Type	H&T 9/246	
Phase 2 - Current Assessment											
Current Control Measures			Governance arrangements in place; Initial project meeting held; project manager appointed; project governance established via project board, team and workstream groups: detailed scoping completed; draft blueprint documents in place; initial operating model completed;								
Probability	L	Objectives	H	Financial	H	Services	H	Reputation	H	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/440 - Further review and development of the company's operating model; still work to do to expand on the 'petals' model						BES Teckal Proj Off	Mon-30-Nov-20			
Reduction	7/445 - Carry out recruitment of NY Highways Managing Director						CD BES	Fri-31-Jul-20	Fri-31-Jul-20		
Reduction	7/580 - Continued close monitoring of procurement arrangements (incl ICT infrastructure) and timelines to ensure impact of any issues are understood and managed						BES H&T HoCS BES Teckal Proj Off	Sun-31-Jan-21			
Reduction	7/588 - Ensure H&S is appropriately managed during the transition period and into the operational phase.						BES AD H&T	Wed-31-Mar-21			
Reduction	9/235 - Continue to maintain effective engagement with RIS at Board level to ensure continued positive working relationships						CD BES	Wed-31-Mar-21			
Reduction	9/244 - Continue engagement with RIS at detailed level; joint staff comms in place; formalised comms plan with monthly newsletters; detailed information 'ask'						BES AD H&T	Wed-31-Mar-21			
Reduction	9/561 - Put support service arrangements in place between NYCC and new company; need to produce next iteration of support service costed proposals based on information from operating model; SLAs will need to be in place by Jan 2021						BES H&T HoCS BES Teckal Proj Off	Sun-31-Jan-21			
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	H	Financial	H	Services	H	Reputation	H	Category	3
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	9/559 - Consider extension of existing arrangements or retender								BES H&T HoCS		

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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 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;									
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	H	Category	3
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	Thu-30-Sep-21				
Reduction	7/459 - Review/monitor the H&S arrangements of Contractors and Partner organisations (ongoing)					BES AD H&T	Thu-30-Sep-21				
Reduction	7/461 - To monitor all service plans and risk registers and ensure they are checked on a regular basis (ongoing)					BES MT	Thu-30-Sep-21				
Reduction	7/462 - Review incidents and claims statistics including large losses and develop action plans (ongoing)					BES MT	Thu-30-Sep-21				
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	Thu-30-Sep-21				
Reduction	7/1965 - Work closely with the Data Governance team in Strategic Support to review and update local information governance arrangements (ongoing)					BES MT	Thu-30-Sep-21				
Reduction	7/1966 - Continue to implement awareness raising campaign for information governance (ongoing)					BES MT	Thu-30-Sep-21				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	M	Services	M	Reputation	H	Category	3
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	7/78 - Implement appropriate management and contingency plans; review priorities and reprioritise service delivery; 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 Beyond 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 Beyond 2020 theme; key messages; cascade of Beyond 2020 vision and approach; regular AD updates provided on Beyond 2020 themes; quarterly performance monitoring at BES MT; quarterly MTFs savings monitoring at BES MT; political agreement and acknowledgement of risks; BES MT engagement on budget; regular reporting on Beyond 2020 Infrastructure theme at BES MT; staff survey outcomes implemented as and when necessary; ideas generation and review process established; regular reporting on customer based theme on change at BES MT;								
Probability	L	Objectives	H	Financial	H	Services	H	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/93 - Continue communication/engagement arrangements with staff on Beyond 2020 Change programme (ongoing)						BES MT	Thu-30-Sep-21			
Reduction	7/260 - Continue to monitor impacts of Beyond 2020 Infrastructure theme (ongoing)						BES MT	Thu-30-Sep-21			
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	Thu-30-Sep-21			
Reduction	7/450 - Continue to provide the support to innovate new ideas to contribute the MTFs (ongoing)						CSD AD SR (ML)	Thu-30-Sep-21			
Reduction	7/451 - Ensure appropriate allocation of resources to deliver change projects (ongoing)						CSD AD SR (ML)	Thu-30-Sep-21			
Reduction	7/568 - Ensure that the emergence of Beyond 2020 is taken into account						BES MT	Wed-31-Mar-21			
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 the delivery of change programmes and cultural change management within BES						CD BES				