

North Yorkshire County Council

Audit Committee

25 October 2021

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

The main areas of note for the Directorate are:

COVID-19

- 3.1 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

- 3.1.1 The key focus for the highways service was to deliver as close to a business as usual service as possible throughout the pandemic whilst also providing traffic management and safe access to local public spaces, e.g. temporarily widening footways into town centres to facilitate social distancing, temporary traffic management measures to address queueing at household waste recycling centres (HWRCs).
- 3.1.2 Support to Ringway and then North Yorkshire Highways (NYH) from 1 June 2021 – 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 once again has prepared for a possible further wave of COVID-19 coupled with poor weather. The service,

working closely with suppliers including NYH, continue to review business continuity & service resilience plans.

Waste Management

- 3.1.3 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.
- 3.1.4 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).

Integrated Passenger Transport (IPT)

- 3.1.5 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.
- 3.1.6 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 communicates with parents and schools.
- 3.1.7 When schools were closed during lockdown this resulted in a significant reduction in demand for public transport which continues and 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, 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

- 3.1.8 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 set up a Local Economy Work stream. This group coordinated research, communication and advice on the impact of Covid and actions to assist businesses and the community, working with other organisations such as the Chamber of Commerce. In addition, Trading Standards worked jointly with environmental health officers and NYCC Public Health

to enforce restrictions and provide advice on events. Officers were seconded to public health in order to support the Covid response.

- 3.1.9 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). As we move out of restrictions, the Directorate, like the rest of the Council, is exploring new ways of working and what a ‘new normal’ may look like, with a blend of office based and remote working.

Non Covid Matters

- 3.2 Local Government Reorganisation (LGR) - Capacity and prioritisation continue to be significant issues in the Directorate, particularly in light of the challenges presented by Covid and the impending Local Government Review. The Directorate will play a key role in a range of council initiatives (eg Local Government Review; devolution).

North Yorkshire Highways

- 3.3.1 The project to launch North Yorkshire Highways has taken significant time and resource over the last 18 months to ensure a successful company could go live on 1 June 2021 with the appropriate governance and internal control processes in place. Internal Governance is addressed in the following areas:

3.3.2 Legal & Governance

The Company was set up in the right way to ensure it has appropriate legal status.

- Board of Directors – balanced composition following sector best practice advice, e.g. recruitment of an independent Non-Executive Director (NED) as Chair of the Board.
- Articles of Association established and approved – in order to govern 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 contract between NYH and NYCC.
- Trademarking
- Finance & Procurement rules – determine how the company operates day-to-day.
- Schemes of Delegation agreed
- 5 year Business Plan signed off
- Union JNCC Agreement signed

Workforce – Communication & Engagement

- 3.3.3 People are an integral part of how the service operates and this area focusses on ensuring staff feel engaged with the process and any and all queries are responded to appropriately through regular and specific communications. The TUPE process, although complex, went well and work is ongoing to ensure the culture of the organisations is aligned.

- 3.3.4 Additionally, the Managing Director role was recruited early in the process, in September 2020, to ensure the company had a ‘voice’ in decision making and, importantly, meant the company had a degree of autonomy from the client from the start. In line with regulations, the company is run by the Board of Directors with only “reserved matters” referred back to the shareholder.

3.3.5 Procurement, IT Infrastructure & Support Services

Ensuring the supporting infrastructure which enables the business to operate is available and working appropriately. As the overall objective was to ‘lift & shift’ the operation, NYCC looked to replicate the services provided by Ringway Head Office

as far as possible through a range of SLA'd services, subject to the same governance as through the company Board and direct support/provision from NYCC teams.

LEP Governance

- 3.4 As was featured in the October 2020 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:
- 3.4.1 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".
- 3.4.2 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.
- 3.4.3 The LEP Review dictated that LEPs must achieve a Board representation of a minimum: 66% Private sector, 33% Public sector; and 33% Female, 66% Male (aspiration is 50-50). The LEP Board, following its recruitment earlier in 2021 currently stands at 66% Private sector, 33% Public sector; and 47% Female, 53% Male.

Capital Programme

- 3.5 Whilst this is identified separately within the Directorate Risk Register there are key items of note:
- 3.5.1 Construction costs and tender prices are a significant risk due to post-EU Brexit arrangements and the easing of Covid lockdown restrictions and so projects will continue to be carefully monitored to assess the potential for inflation pressures in the construction market to impact on the delivery of the Capital Programme.
- 3.5.2 The YNY Local Enterprise Partnership has been awarded funding over two years from the Government's Getting Building Fund (GBF) for investment in local, 'shovel-ready' infrastructure projects to stimulate jobs and support economic growth in the wake of the Covid 19 pandemic. The Council's programme is now in its second year and is being actively managed with projects within the programme having progressed through the appraisal and contracting stages.
- 3.5.3 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 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)
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 A review of the BES DRR took place at the end of September 2021 and has been signed off by the Corporate Director and Management Team. A further review of the register will take place in April 2022.
- 4.7 The key changes that have been made to the DRR since October 2020 (date of last progress report to the Committee) are as follows:-
- 4.7.1 Delivering Change Programmes within BES – as well as other issues such as considering and acting upon matters arising from the Staff Survey 2021 and new ways of working, there is also focus on the impact of Local Government Reorganisation and the need to ensure effective engagement in the LGR change programme. The probability has as a consequence changed from Low to Medium on the first ranking.
- 4.7.2 Delivery of Transport Schemes with the LEP’s Strategic Economic Plan and Growth Plan – The probability of this risk has been increased on the first ranking from Low to Medium. This reflects the complexity of the schemes that need to be managed.
- 4.7.3 Long Term Waste Service Strategy – this risk reflects the work and actions required by the Council, Districts and Partners relating to the Phase II consultation of the Resources and Waste Strategy. In addition it recognises the work that needs to be done with the North Yorkshire Waste Forum to achieve an effective waste management function.
- 4.7.4 Capital Programme – this risk reflects the need to be agile and respond to funding announcements quickly and appropriately when they arise at short notice. The probability on the first ranking has increased to Medium from Low and actions have been added to enable continued good and effective management of the capital programme.
- 4.7.5 NY Highways – this risk has significantly changed (indicated as ‘new’ in the Change column of the summary risk register). The risk now reflects the fact that over the last year the arrangements for highways maintenance services

are now operational and managed by NY Highways. Ongoing support and monitoring arrangements are considered important going forward to ensure the success of this venture.

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.





KARL BATTERSBY
Corporate Director – Business & Environmental Services

Report prepared by Vicki Dixon

Risk Register: **Month 0 (September 2021) – detailed**

Next Review due: **March 2022**




Report Date: **30th September 2021 (pw)**

Identity		Person	Classification													Fallback Plan				
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Pre						RR		Post					FBPlan	Action Manager	
					Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep			Cat
	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	5	31/03/2022	M	L	H	L	M	2	Y	CD BES
	7/175 - Delivering Change Programmes within BES	Failure to embed a strong change culture, processes and supporting capacity to deliver ongoing improvement programmes of change in BES e.g. Local Government Reorganisation and 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	M	H	H	H	M	2	8	31/12/2021	L	M	M	H	L	3	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 December 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	6	30/11/2021	L	M	M	M	H	3	Y	BES AD GP&TS
	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan and Growth Plan	Failure to deliver the programme of transport schemes (particularly Scarborough junction 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	M	M	H	L	H	2	5	31/03/2022	L	M	H	L	H	3	Y	CD BES

Risk Register: **Month 0 (September 2021) – detailed**

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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		
	7/18 - Long Term Waste Service Strategy	Failure to further develop the long term waste service strategy (including Resources and Waste Service Strategy, LGR, 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 TE&CS	M	L	H	L	H	2	8	30/11/2021	L	L	H	L	M	3	Y	CD BES
	7/24 - Capital Programme	Ineffective management of capital programme including Highways 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 (VD)	M	M	H	M	M	2	12	31/03/2022	L	M	H	M	M	3	Y	CD BES
- new -	7/247 - NY Highways	Failure to ensure the arrangements for highways maintenance services in place are performing as required and not resulting in service disruption, increased costs and criticism	CD BES	BES AD H&T	M	H	H	H	H	2	7	31/10/2021	L	H	H	H	H	3	Y	BES H&T HoCS
	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 (VD) BES AD GP&TS	M	H	H	H	M	2	8	31/03/2022	L	H	H	H	L	3	Y	BES AD GP&TS

Risk Register: **Month 0 (September 2021) – detailed**

Next Review due: **March 2022**

Report Date: **30th September 2021 (pw)**

Identity			Person		Classification											Fallback Plan				
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Pre						RR		Post						FBPlan	Action Manager
					Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep	Cat		
	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	30/09/2021	L	M	H	H	M	3	Y	CD BES
	7/7 - Statutory Duties	Failure to carry out statutory duties or meet statutory deadlines (e.g. Health and Safety, safe guarding, information governance, prevention of waste pollution, planning responsibilities, statutory property related issues, driver/vehicle guidance) resulting in Corporate Manslaughter, increased cost/claims, fines/prosecution and criticism.	CD BES	CD BES	L	M	M	M	H	3	7	30/09/2022	L	M	M	M	H	3	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 (September 2021) – detailed**Next Review due: **March 2022**Report Date: **30th September 2021 (pw)**

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	7/1969 - 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	Thu-31-Mar-22				
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	Thu-31-Mar-22				
Reduction	176/280 - Gain political support both locally and nationally (ongoing)					Chief Exec	Thu-31-Mar-22				
Reduction	176/320 - Negotiate the economic barriers and opportunities which Devolution can take advantage of with Government including interim devolution deals					CD BES	Thu-31-Mar-22				
Reduction	176/470 - Ensure link with delivery of LGR					Chief Exec	Fri-31-Mar-23				
Phase 4 - Post Risk Reduction Assessment											
Probability	M	Objectives	L	Financial	H	Services	L	Reputation	M	Category	2
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	176/544 - Carry out further discussions with Central Government if required							CD BES			

Risk Register: **Month 0 (September 2021) – detailed**Next Review due: **March 2022**Report Date: **30th September 2021 (pw)**

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 improvement programmes of change in BES e.g. Local Government Reorganisation and 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	M	Objectives	H	Financial	H	Services	H	Reputation	M	Category	2
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	Fri-30-Sep-22				
Reduction	7/260 - Continue to monitor impacts of Beyond 2020 Infrastructure theme (ongoing)					BES MT	Fri-30-Sep-22				
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	Fri-30-Sep-22				
Reduction	7/450 - Continue to provide the support to innovate new ideas to contribute to the MTFs (ongoing)					CSD AD SR (VD)	Fri-30-Sep-22				
Reduction	7/451 - Ensure appropriate allocation of resources to deliver change projects (ongoing)					CSD AD SR (VD)	Fri-30-Sep-22				
Reduction	7/568 - Ensure that the emergence of Beyond 2020 is taken into account					BES MT	Thu-30-Sep-21	Fri-30-Apr-21			
Reduction	7/612 - Ensure effective engagement in the LGR change programme					BES MT	Fri-31-Mar-23				
Reduction	7/613 - Consider and respond to any issues arising from the Staff Survey 2021					BES MT	Fri-31-Dec-21				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	M	Services	H	Reputation	L	Category	3
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			

Risk Register: **Month 0 (September 2021) – detailed**Next Review due: **March 2022**Report Date: **30th September 2021 (pw)**

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 December 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; Sustainability Appraisal / Strategic Environmental Assessment and Appropriate Assessment under the Habitats Regulations produced								
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-31-Aug-22			
Reduction	7/583 - Go out to consultation on the proposed main modifications to the plan and the above assessments						BES AD GP&TS	Sat-31-Jul-21	Wed-21-Jul-21		
Reduction	7/584 - Request Inspector response to main modifications and obtain approval from Full Council						BES AD GP&TS	Tue-30-Nov-21			
Reduction	13/54 - Continue to review progress against milestones, review and update milestones as necessary						BES AD GP&TS	Wed-31-Aug-22			
Reduction	13/519 - Continue to keep budget priorities under review						BES AD GP&TS	Wed-31-Aug-22			
Reduction	13/523 - Continue to monitor new developments eg impact of central govt planning reform, LGR, fracking, using planning officers society and peer groups						BES AD GP&TS	Sun-31-Jul-22			
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 (September 2021) – detailed**Next Review due: **March 2022**Report Date: **30th September 2021 (pw)**

Phase 1 - Identification											
Risk Number	7/189	Risk Title	7/189 - Delivery of transport schemes within the LEP's Strategic Economic Plan and Growth Plan					Risk Owner	CD BES	Manager	BES AD H&T
Description	Failure to deliver the programme of transport schemes (particularly Scarborough junction 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	M	Objectives	M	Financial	H	Services	L	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed		
Reduction	7/318 - Continue to engage with the LEP (Local Growth Fund concludes end of Mar 2021) and support them to manage risks associated with specific scheme programmes (ongoing)						CD BES	Thu-31-Mar-22			
Reduction	7/436 - Continue to ensure sufficient resource in H&T to effectively promote County Council schemes (ongoing)						BES AD H&T	Thu-31-Mar-22			
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	Thu-31-Mar-22			
Reduction	9/585 - Continue to work closely with WSP (and where appropriate, Align Property Partners) to ensure that resources match programme of transport schemes requirements (ongoing)						BES AD H&T	Thu-31-Mar-22			
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	

Risk Register: **Month 0 (September 2021) – detailed**Next Review due: **March 2022**Report Date: **30th September 2021 (pw)**

Phase 1 - Identification											
Risk Number	7/18	Risk Title	7/18 - Long Term Waste Service Strategy				Risk Owner	CD BES	Manager	BES AD TE&CS	
Description	Failure to further develop the long term waste service strategy (including Resources and Waste Service Strategy, LGR, 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; 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; YNY Waste Partnership (to include transition through LGR), paper on Resources and Waste Service Strategy,								
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 TE&CS	Fri-31-Dec-21	Wed-31-Mar-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 TE&CS HoS(W)	Thu-31-Mar-22				
Reduction	7/419 - Develop proposals for separate food waste collections and consistent recycling as required by the new legislation (ongoing)					BES TE&CS HoS(W)	Sun-31-Jul-22				
Reduction	7/430 - Review and respond to Extended Producer Responsibility/Deposit Return Scheme consultations					BES TE&CS HoS(W)	Wed-30-Jun-21	Wed-30-Jun-21			
Reduction	7/432 - Consider review of contract management arrangements					BES TE&CS HoS(W)	Tue-30-Nov-21				
Reduction	7/439 - Work with North Yorkshire Waste Forum to achieve an effective waste management function, through actions including staff engagement and regular quality meetings					BES AD TE&CS	Fri-31-Mar-23				
Reduction	14/557 - Working with districts and partners on response and changes that may be required as a result of the Phase II consultation – ongoing					BES TE&CS C&CM BES TE&CS HoS(W)	Sun-31-Jul-22				
Reduction	14/578 - Continue to monitor Amey's progress against their improvement plan targets					BES TE&CS WCM	Sun-31-Jul-22				
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	H	Services	L	Reputation	M	Category	3
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	7/73 - Rely short term on recently procured arrangements, review strategy, media management							CD BES			

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Phase 1 - Identification											
Risk Number	7/24	Risk Title	7/24 - Capital Programme				Risk Owner	CD BES		Manager	CSD AD SR (VD)
Description	Ineffective management of capital programme including Highways 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 NYH, H&T and BES management structures and Executive Members, reporting through NYH; 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; Full Capital Plan meetings at appropriate times; NYH Board; 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	M	Objectives	M	Financial	H	Services	M	Reputation	M	Category	2
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					BES AD H&T	Wed-31-Aug-22				
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	Mon-31-May-21			
Reduction	7/1504 - Monitor impact of the reduction in the 2021/22 capital programme in comparison with the previous forecast and consideration of budget and programme scenarios ahead of future years' LTP budget allocation					BES AD H&T	Thu-31-Mar-22				
Reduction	7/1967 - Active involvement in NYH post Go Live to ensure processes and procedures are working properly and are fit for purpose					BES AD H&TC SD AD SR (VD)	Wed-31-Aug-22				
Reduction	7/1968 - Active forward planning by the service to ensure it is agile and has the ability to respond to funding announcements quickly and appropriately that arise at short notice and / or late in the financial year.					BES AD H&T	Wed-31-Aug-22				
Reduction	7/1973 - Weekly capital update meetings to ensure programme on track					BES H&T HoNS CD BES CSD AD SR (VD)	Thu-31-Mar-22				
Reduction	7/1974 - Monitoring of the national environment re price and delivery times to ensure the service can react in a timely manner to changes					BES AD H&T	Wed-31-Aug-22				
Reduction	9/353 - Need for LTP capital programme process mapping session, followed later by a LEAN review					BES AD H&T	Wed-31-Aug-22				
Reduction	9/355 - Regular weekly meetings between H&T, Procurement and NYH teams to ensure NYH programme delivery					BES AD H&T	Wed-31-Aug-22				
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	Wed-31-Aug-22				

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Reduction	9/551 - hNY Improvement Action Plan including continuous improvement within the service	BES H&T HoNS	Wed-31-Aug-22	
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 (VD)	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 - NY Highways				Risk Owner	CD BES		Manager	BES AD H&T
Description	Failure to ensure the arrangements for highways maintenance services in place are performing as required and not resulting in service disruption, increased costs and criticism					Risk Group	Contracts		Risk Type	H&T 9/246	
Phase 2 - Current Assessment											
Current Control Measures			Governance arrangements in place; ; initial operating model completed; NY Highways Managing Director appointed; governance framework in place, mobilisation plans in place, Company Board in operation								
Probability	M	Objectives	H	Financial	H	Services	H	Reputation	H	Category	2
Phase 3 - Risk Reduction Actions											
Reduction	7/580 - Continued close monitoring of the remaining procurement arrangements and timelines to ensure impact of any issues are understood and managed					Action Manager	BES H&T HoCS		Action by	Sun-31-Oct-21	Completed
Reduction	7/588 - Ensure H&S is appropriately managed during the transition period and into the operational phase; H&S mobilisation plan produced to ensure that day one training and compliance is in place; some further H&S accreditation and training to complete					Action Manager	BES AD H&T		Action by	Fri-31-Dec-21	Completed
Reduction	7/597 - Complete the mobilisation of the contract including staff implementation and understanding of acceptable working practice norms; need to continue recruitment to vacant posts, recognising current demand pressures around drivers					Action Manager	BES H&T HoCS		Action by	Wed-31-Aug-22	Completed
Reduction	7/598 - Obtain final board sign off for go live following risk reviews on all workstreams					Action Manager	CD BES		Action by	Wed-21-Apr-21	Wed-21-Apr-21
Reduction	9/235 - Ensure monitoring and reporting arrangements are in line with agreed governance arrangements, to include close budget monitoring and adjustment where necessary					Action Manager	CD BES		Action by	Wed-31-Aug-22	Completed
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 to sign off					Action Manager	BES H&T HoCS		Action by	Sun-31-Oct-21	Completed
Reduction	9/567 - Support NYH in the development of the operations manual including performance indicators					Action Manager	BES H&T HoCS		Action by	Mon-31-Jan-22	Completed
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	H	Financial	H	Services	H	Reputation	H	Category	3
Phase 5 - Fallback Plan											
Fallback Plan	9/559 - Consider extension of existing arrangements or retender									Action Manager	BES H&T HoCS

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Phase 1 - Identification											
Risk Number	7/232	Risk Title	7/232 - Growth				Risk Owner	CD BES	Manager	CSD AD SR (VD) 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 LGNY Y 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	Fri-26-Mar-21		
Reduction	7/1958 - Continue to embed enhanced collaborative working arrangements with District Councils (annual review of progress and developed a pipeline of strategic projects to work together on.) – ongoing with regular review of resources needed to deliver projects						BES AD GP&TS	Wed-31-Aug-22			
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 LGNY Y Board / Leaders for publication and open release of the framework; spatial framework now available online						BES AD GP&TS	Thu-31-Dec-20	Mon-30-Nov-20		
Reduction	7/1960 - Maintain good working relationship with the LEP (including work to align LEP funding initiatives with Council Initiatives and with the Directors of Development master planning funding, Coordinated devolution asks. Carbon abatement pathways, local energy action plans) (ongoing)						CD BES	Wed-31-Aug-22			
Reduction	7/1961 - Continue to understand and investigate any impacts of Brexit and ensure opportunities are taken – considered through weekly local economy work stream meetings, impacts of change from CAP to ELMS payments in agriculture being monitored; ex EU Funding now becoming UK funding streams eg. CRF, levelling up and Shared Prosperity Fund						BES AD EPU CD BES	Wed-31-Aug-22			
Reduction	7/1971 - Continue to understand and investigate the impacts of the Coronavirus pandemic and work with partners to carry out the actions identified from the recovery plan work to assist North Yorkshire businesses (including Trading Stds contributing a range of business advice/support initiatives to the plan and management of "Buy Local")						BES AD GP&TS CD BES	Wed-31-Aug-22			
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						BES AD GP&TS	Wed-31-Aug-22			

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	government policy changes (planning net gain, agriculture ELMs, Local Industrial Strategy & Natural Capital plans) ongoing; action plan produced; waiting for govt legislation through environment bill and devolution ask				
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	Thu-31-Mar-22	
Phase 4 - Post Risk Reduction Assessment					
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	7/23	Risk Title	7/23 - Major Incident and Business Continuity					Risk Owner	CD BES	Manager	CD BES
Description	Failure to plan and respond effectively to a major incident without major impact upon routine service performance or longer term impact on service delivery. Such incidents may include animal health disease, flooding and other severe weather. Service breakdown including critical resources (eg property, people and ICT) resulting in the need to deliver additional service in order to ensure effective enforcement/containment and minimal disruption to critical services.					Risk Group	Performance	Risk Type			
Phase 2 - Current Assessment											
Current Control Measures		Leadership of BES Management Team and appropriate lead manager; work with other appropriate partners; appropriate major incident and emergency plans; inspection monitoring programmes; systems resilience & back up arrangements in place; business impact analyses and incident management plans are in place; disaster recovery plan; NYCC silver command exercises carried out; implementation of solutions based upon lessons learned from previous major incidents; BES RMG; biannual multi-agency training events; command structure / information flow for business continuity incidents finalised; emergency protocol agreed with Kier and Yorwaste in the event that sites to be open on days when they may otherwise be shut; 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	Fri-30-Sep-22				
Reduction	7/444 - Continually review procedures plans and training in relation to major incidents (ongoing)					BES MT	Fri-30-Sep-22				
Reduction	7/446 - Annual live or desk top exercises to test plans, and including the incident and response and continuity plan with NY Highways (ongoing)					BES MT	Fri-30-Sep-22				
Reduction	7/587 - Ensure sufficient capacity is present to be able to manage a major incident					BES MT	Fri-30-Sep-22				
Reduction	7/1970 - Consider recent significant natural events relative to the impact of climate change and plan accordingly					BES MT	Fri-30-Sep-22				
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	Fri-30-Apr-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	7/7	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	Fri-30-Sep-22				
Reduction	7/459 - Review/monitor the H&S arrangements of Contractors and Partner organisations (ongoing)					BES AD H&T	Fri-30-Sep-22				
Reduction	7/461 - To monitor all service plans and risk registers and ensure they are checked on a regular basis (ongoing)					BES MT	Fri-30-Sep-22				
Reduction	7/462 - Review incidents and claims statistics including large losses and develop action plans (ongoing)					BES MT	Fri-30-Sep-22				
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	Fri-30-Sep-22				
Reduction	7/1965 - Work closely with the Data Governance team in Strategic Support to review and update local information governance arrangements (ongoing)					BES MT	Fri-30-Sep-22				
Reduction	7/1966 - Continue to implement awareness raising campaign for information governance (ongoing)					BES MT	Fri-30-Sep-22				
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			