

Appendix 1 - Tewkesbury Borough Council: Corporate Risk Register (updated February 2023)

Code	Risk score	Risk Management view
Red	16 – 25	Must be managed down to reduce risk scores in the next year
Amber	5 – 15	Seek to improve the risk score in the medium term
Green	1-4	Tolerate and monitor

Risk ref	Corporate risk identified	Impact assessment / comment	Impact Score (1-5)	Likelihood Score (1-5)	Gross risk score	Mitigating Controls	Risk Owner	Current risk score	Identified risk mgt action points	Target risk score
1	The uncertainty and volatility of council funding streams, including Business Rates Retention, New Homes Bonus and needs based funding, means that long term business planning is difficult and subject to significant change.	<p>Withdrawal of New Homes Bonus that may or may not be replaced by an alternative scheme leading to potential funding gap.</p> <p>Uncertainty around business rates retention due to planned reset of the system being delayed – does not support sustainable financial planning.</p> <p>Although the Spending Review 2021 set the financial envelope for a three-year period, settlements continue to be on a one-year basis. As with business rates, the fair Funding Review has been delayed until at least 2025/26 leaving councils uncertain as to how funding will be distributed to individual authorities over the medium term.</p>	5	5	25	<p>Council does not use 100% of NHB to support base budget.</p> <p>Accumulated provisions within existing retained rates scheme.</p> <p>Development of other funding streams such as Council Tax and Commercial properties.</p> <p>Revised MTFS highlighting size of impact and potential measures to bridge the deficit.</p> <p>Significant MTFS reserve.</p>	Head of Finance & Asset Management	25	<p>Further development of alternative income streams to reduce dependence on these funding streams.</p> <p>Detailed planning around major cost saving areas identified in the MTFS.</p> <p>Government clarification on future of local government finance including:</p> <ul style="list-style-type: none"> Spending Review. Fair Funding Review. 75% business rates retention. Future of NHB and whether an alternative scheme will be brought forward. 	9

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<p>Comments: The 2023/24 Local Government Settlement was again delivered as a one-year settlement with the 24/25 Settlement also likely to be on this basis given that it is the final year of the Spending Review and an impending general election. Whilst it has been confirmed that both Funding Reform and the Business Rates reset have been pushed back until 2025/26 at the earliest, they remain as a distinct possibility within the medium term. There is still no clarity on the future of New Homes Bonus although the government has promised to engage with the sector in 2023. Therefore, there remains considerable uncertainty with local government funding.</p>										
2	Failure to see the delivery of residential and business growth within the Borough will have a significant impact within MTFS planning	<p>Growth within the Borough will attract significant additional funding streams by means of Council Tax, NHB and retained business rates.</p> <p>Given the reductions in core government grant and the increasing cost of delivering services, the income from growth is imperative to ensure a balanced MTFS and the ongoing delivery of services within the Borough.</p>	5	4	20	<p>Growth strategy set out in Joint Core Strategy.</p> <p>Approved Borough Plan</p> <p>Programmes for the delivery of significant infrastructure.</p> <p>Strong relationships with key agencies such as Homes England and GFirst LEP.</p> <p>Economic Development Strategy.</p> <p>Establishment of Growth Hub.</p> <p>Government business rate reliefs</p>	Corporate Management Team	15	<p>Review of the Joint Strategic Plan (JSP)</p> <p>Implementation of DM improvement action plan</p> <p>Business case developments for J10.</p> <p>Delivery of the Ashchurch Bridge project and associated link road.</p> <p>Development and delivery of Gloucestershire rail strategy.</p>	10

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									A46 realignment business case development.	
<p>Comments: The strategic allocations are beginning to deliver reserved matters applications, which will see growth in the borough. The Local Plan was adopted at Council on 8 June 2022. The JSP timetable is currently under review. The benefit of this will be undermined by the withdrawal of NHB and the lack of clarity around its replacement. The future of business rates retention also remains unknown.</p>										
3	If the ICT network is not adequately protected then there is a risk it is susceptible to a cyber-security attack leading to loss of systems and significant downtime.	<p>Phishing attacks/Spear phishing – untargeted mass emails sent to many recipients to acquire sensitive information/targeted emails designed to look like it has been sent from a trusted person.</p> <p>Denial of service (DoS) – hacker floods a website with more traffic than it can handle. Legitimate users are denied access to services, downtime of systems.</p> <p>Malware – forms of harmful software executed when it is mistakenly downloaded.</p>	5	5	25	<p>Patch management.</p> <p>Penetration testing.</p> <p>Internal phishing awareness exercises.</p> <p>PSN compliance.</p> <p>Firewall management.</p> <p>Cyber insurance.</p> <p>Cyber specific post created within ICT Team.</p>	Head of Corporate Services	12	<p>Finalise and test cyber response plan</p> <p>Network segmentation</p> <p>Cyber essentials accreditation</p>	9

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		<p>Ransomware – denies access to systems until a ransom is paid.</p> <p>Reusing credentials on multiple systems makes it easier for a hacker to move around the network</p> <p>All or combination can lead to: Loss of reputation and trust, financial loss – disruption to service delivery, cost of restoring systems, Legal implications – personal data breach could lead to a significant fine</p>								
<p>Comments: Public sector network (PSN) compliance has recently been achieved. Penetration testing was also positive with the testers unable to exploit full network administration. A mandatory network change of password for all staff as instructed by management team is now complete. The network and security infrastructure role (with cyber responsibility) has now been in place for a number of months and leading on various projects, in particular network segmentation. Disaster recovery testing is scheduled for April. The team successfully delivered the council's new remote working solution to migrate from the Ivanti Pulse solution to Fortinet.</p>										

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4	If business continuity planning is not in place then there is a risk the council would struggle to deliver its services in the event of an incident.	<p>A BC incident could be any of the following;</p> <ul style="list-style-type: none"> • ICT downtime • Major staff absence • Property access • Supply chain failure <p>Leading to reputational damage, financial loss, impact on service delivery etc.</p>	4	4	16	<p>Individual service continuity plans.</p> <p>Draft corporate plan.</p> <p>ICT disaster recovery.</p>	Head of Corporate Services	12	<p>Finalise and test draft plan.</p> <p>Review of individual service plans.</p>	9
<p>Comments: A review of individual service plans has commenced and is supported by the Civil Protection Team. The corporate business continuity plan review can then be finalised and testing undertaken. At the end of March there is a national exercise being held - 'Mighty Oak' on responding to a National Power Outage. Any lessons learnt will inform the council's business continuity and emergency planning arrangements.</p>										
5	If the council is not compliant with General Data Protection Requirement then there is a risk of financial penalties and adverse publicity.	<p>Reputational – adverse publicity and internal impact on service and individuals</p> <p>Financial – potential fines from ICO or compensation claim from individuals</p>	4	4	16	<p>Data Protection Policy.</p> <p>Governance structure in place eg Information Board, Data Protection Officer appointed, designated Senior Information Risk Owner, SpOC.</p> <p>Breach reporting framework.</p>	Head of Corporate Services	12	<p>Rollout of e-learning module</p> <p>Implementation of related audit recommendations.</p> <p>Implementation of GDPR action plan</p>	9

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		Resource – time consuming to report, investigate and mitigate data breaches Staff morale – in case of data breaches, potential disciplinary action				Staff awareness training. GDPR action plan.			Review of data protection policy	
<p>Comments: A new Information Governance Officer role has recently been appointed to. The new management structure also brings together an Audit and Governance team which will provide additional resilience to the management of governance issues, such as GDPR. The e-learning training comprising both GDPR and cyber security modules has been rolled out to virtually all staff. This will also form part of the new Member induction. The Data Protection Policy has also been reviewed and updated for approval by Audit and Governance Committee. A new Data Request system (similar to FOIs and complaints) has recently been implemented to effectively manage the increasing case numbers.</p>										
6	Use of Swindon Road depot.	Our waste services are currently based at the Swindon Road Depot in Cheltenham. The depot is currently leased to Ubico by Cheltenham Borough Council. If CBC were minded to terminate this arrangement then we may need to identify a suitable depot for Ubico to operate of waste services from.	5	2	10	Lease agreement in place.	Head of Community Services	8	Elements of the lease arrangement of the depot have been reviewed and changes made to formalise the arrangements with Cheltenham BC. Consider where a temporary depot could operate from in an emergency.	5

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<p>Comments: A new lease fee for the depot has been agreed. Cheltenham Borough Council are in the process of developing a maintenance plan for the depot which will be agreed ahead of the next round of budget setting. This will ensure that the depot remains fit for purpose wherever possible. No further change to this risk since the last risk register update in November 2022.</p>										
7	Failure to maintain council assets and ensure ongoing tenancies could result in significant cost and lost income	The council has a significant property portfolio encompassing operational and investment assets. For example, the total commercial portfolio is £60m producing an annual gross income of £3.7m.	5	4	20	<p>Recent refurbishment of service-related property.</p> <p>Commercial investment reserve including annual contribution.</p> <p>Trained and experienced staff.</p> <p>Appointment of external investment support.</p> <p>Recruitment of additional Property Officer.</p>	Head of Finance and Asset Management	10	<p>Establishment of long-term asset maintenance programme, including allocation of required funding.</p> <p>Establishment of annual contribution to Asset Maintenance Programme.</p>	5
<p>Comments: The current service and commercial portfolio are in a good state of repair with minor works ongoing. It is hoped to secure external funding to support the replacement of the heat system at the Council Offices in the near future but this will need to be matched by significant Council funding. Whilst an annual contribution to support the commercial portfolio is made from base budget, it is currently unaffordable to do so for the service portfolio given current funding constraints and cost pressures on the budget as a whole. The asset management reserve will need to rely on year end surpluses and one-off allocations to support the needs. The commercial property portfolio is now fully let.</p>										
8	Garden town status	Failure to deliver Garden Town project will have an impact on the Council in	5	5	25	Regular meetings with the Project Assurance Group which	Garden Town Programme	12	Capacity funding award from Government this	9

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		<ul style="list-style-type: none"> Reputation - Confidence from Government of TBC ability to deliver programme (<i>planning stages</i>). Financial (loss of NHB from assumed delivery of homes). Non Delivery of homes and jobs required for community (<i>delivery stages</i>). 				<p>is attended by a Homes England (HE) representative.</p> <p>The project is being managed through the standard HE Project Delivery Plan (PDP).</p> <p>Completed update of the evolution of the masterplan to inform the JSP Review.</p> <p>Extra funding received from MHCLG now DLUHC and Homes England (HE).</p> <p>Regular review meetings with representatives from HE and DLUHC.</p> <p>Dedicated communication's support.</p>	Director/ Head of Development Services		<p>year also included £1.5m towards the County run J9/A46 project to assist with the ongoing business case development, plus £500k for assessment of options for establishing a delivery vehicle which is underway with consultancy ARUP.</p> <p>Work continues on this commission with a tight timeline requiring the submission of a business case back to Government by Autumn 2022. March 2023.</p> <p>Work continues and the team will apply for funding when the</p>	

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									next capacity funding round is announced.	
<p>Comments: Delivery of the programme will potentially be over a 25-30 year period. During that time, there will be many challenges and risk elements to be mitigated. At this early formation stage, the team are focusing on getting the key foundations in place in terms of clarifying the forward strategy and ensuring the council has the capacity and capability to start delivery. The highest risk in this regard, is further delay to the JSP Review. The review is vital in providing an important policy context for the Garden Town and the means to safeguard the programme's future. In particular, the role it will be able to play in helping bring forward sustainable and well managed growth. A revised timetable for the review of the JSP has now been discussed with Members. Meanwhile, the team have been working on taking the concept masterplan forward through a Strategic Framework Plan (SFP), the assembly of land and the delivery of enabling basic infrastructure. The Programme continues to be regularly reviewed by Government and remains well regarded, with further capacity funding requests being considered.</p>										
9	Non-delivery of the Ashchurch bridge project.	The project has a time limit of March 2022 for funding draw-down. <i>(Note: this is currently amended to September 2023 however discussions continue with Homes England to further amend to March 2024)</i>	5	3	15	Grant funding agreement with Homes England (2019) Planning permission granted 16 March 2021.	Programme Director	25	A Judicial Review submitted by a group of local parishes was heard at the high court in November. In January 2022, the Judicial Review ruled robustly in the Council's favour and all challenges were dismissed. However, the parishes lodged a further appeal and this was heard by the Court of Appeal in December 2022.	8

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						<p>Agree licence/access with landowners</p> <p>Network Rail is an active part of the project board.</p>			<p>The judgement just received has now quashed the planning consent secured for the scheme and the team is now considering next steps, in discussion with Homes England.</p> <p>The project was about to go to into procurement for a construction contractor, with land acquisition and access rights in the process of being finalised along with the consents and clearances work with NWR.</p>	

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<p>Comments: Judgement now received, and the planning consent has been quashed. Alternative delivery options under consideration, this includes on-going discussions with technical advisors as to what is necessary to re-submit the application with the additional information as highlighted in the judgement – i.e. environmental impact assessment. Work continues with Homes England whether the HIF fund can be extended (beyond March 2024) or whether there are other funds which could be applied for. Due to the uncertainty around the build, it is prudent to increase the risk score from 15 to 25.</p>										
10	The climate change motion approved by Council included a commitment to achieve countywide carbon neutrality aims as well as carbon neutrality for the Council's own services.	<ul style="list-style-type: none"> - Significant change to service delivery. - Ability to influence wider community. - Significant financial input 	4	5	20	<p>Appointment of countywide coordinator.</p> <p>Approval of action plan for Council carbon neutrality.</p> <p>Delivery of a new solar car parking canopy.</p> <p>Appointment of dedicated Carbon Reduction Officer.</p> <p>Allocation of £100,000 reserve to support small scale activities.</p> <p>Rollout of carbon literacy training.</p>	Head of Finance & Asset Management	16	<p>Identification of specific actions to support wider carbon neutrality of whole council and the Borough.</p> <p>Allocation of funding to support specific activities, both on an on-going and one-off basis</p> <p>Source external grant funding opportunities</p> <p>Collaborative working with partners to maximise</p>	4

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									efficiency and reduce cost Assessment and delivery of capacity and resource necessary to meet the Council's motion.	
<p>Comments: The scale of the investment required to meet internal climate change ambitions is substantial and although there are likely to be some direct financial benefit to the council this is likely to be outweighed by the cost. In addition to this, thinking wider than just the council will again add significant cost to the council. This funding pressure comes at a time when budgets remain under constant pressure and the availability of external funding is limited with significant competition. It will therefore require significant commitment from the Council and the identification of funding opportunities within existing budgets in order to take this ambition forward. Formal notification on the success of the bid for funding towards a replacement heat system is awaited.</p>										
11	National driver shortage	There is a national shortage of HGV drivers. The impact is that across the Ubico contracts they are struggling to recruit and retain RCV drivers. The supply of agency drivers is a concern. The overall impact of this is that contract costs may increase	4	4	16	Increase the market supplement for drivers and train more loaders to become drivers.	Head of Community Services	16	Apply the business continuity plan if services are suspended. Continue dialogue with Ubico and suggest ideas to improve e.g. offering a golden hand shake	8

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		and waste rounds may suffer from shortages resulting in service suspensions.							/ incentive for referrals of drivers from staff etc. It appears that the recruitment difficulties that Ubico were suffering have eased slightly. We need to keep this risk under review.	
Comments: It appears that the recruitment difficulties that Ubico were suffering have eased slightly. We need to keep this risk under review.										
12	Waste transfer station at Wingmoor Farm subject to a variation of their planning.	The waste transfer at Wingmoor Farm is the subject of a planning variation to enable them to continue operating as our waste transfer station for our residual waste. There is no viable alternative within a sensible geographic area and the only alternative would be to direct deliver	4	4	16	Seek to influence Gloucestershire County Council (GCC) planning committee decision.	Head of Community Services	16	Make representation to GCC planning committee and also to TBC planning committee setting out the implications for the council.	16

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		our waste to Javelin Park, this could result in the council needing to put new rounds on and purchase new vehicles and employ more staff. This will have significant financial implications for the council.								
Comments: Gloucestershire County Council have granted planning permission until December 2027. It is proposed to remove this risk and review the situation in 2026.										
13	Additional demand placed upon the council through cost of living support.	<ul style="list-style-type: none"> • Potential increase in homelessness cases • Increase in benefit related cases eg council tax reduction applications/DHP etc • Reduced council tax and business rate collection rates • Increased business enquiries to growth hub 	4	5	20	<ul style="list-style-type: none"> • Re-institute the Financial Inclusion Partnership • Dedicated Discretionary Housing Payments Officer • Use of £100k TBC business grant scheme to support small business • Re-target balance of £98k council tax hardship grant • additional external funding eg £55k to support warm places 	Head of Community Services / Corporate Management Team	20	Monitor the impact and consider what further actions can be taken working closely with other partners.	10

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		<ul style="list-style-type: none"> Inflationary increases on council supplies and services additional resource to deliver govt schemes eg energy rebate/food vouchers/warm places 				Introduction of multi service cell to harness a cohesive response				
<p>Comment: The cost of living crisis caused by rising rates of inflation, National Insurance, and fuel/energy costs, may cause more families and households to fall into poverty and unemployment, which may lead to increased level of service demand on the Council and place additional pressure on front-line services. Work continues both internally and with external partners to ensure that we are alerted of any significant problems at an early stage. Currently the voluntary sector is experiencing high demand for services. This risk will continue to be under review.</p>										
14	A sustained increase in migration and movement of people could place increased demand on services	<ul style="list-style-type: none"> service deterioration Increased demand in the Voluntary and Community Sector Negative impact on the wider cohesion of the community. <p>Increased financial pressure on budgets</p>	4	4	16	<ul style="list-style-type: none"> member of the countywide strategic migration partnership Lobby MPs / Government to increase funding and support for all migration schemes. 	Head of Community Services / Corporate Management Team	16	Monitor the impact and consider what further actions can be taken working closely with other partners	10
<p>Comments: There is a possibility that there will be a sustained increase in migration and movement of people. This could result in increased demand on the Council's critical front-line services which may result in service deterioration, financial pressures. Working with partners and the community will help to reduce this</p>										

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risk. Partners have established the Gloucestershire Strategic Migration Partnership Group and they will be monitoring the overall risk within the county. This risk will continue to be under review.										
15	Delays in progressing the Joint Strategic Plan (JSP)	<ul style="list-style-type: none"> lack of up to date strategic policies - potentially lead to inappropriate development Reputational damage. Requirement for additional resources. Insufficient strategic site allocations to deliver housing and land for employment. Impact on securing external funding for key infrastructural projects 	5	3	15	<ul style="list-style-type: none"> Appointed a new Senior Responsible Owner (SRO). Evidence base tracker was created in July 2022. Budget has been identified for the staff resources and technical work required. Detailed risk register has been created. Detailed work programme has been developed. 	Head of Development Services	12	<p>A review of the budget and staff resources to deliver the JSP has been undertaken.</p> <p>JSP timetable to be constantly under review.</p> <p>Steering Group continue to meet on a weekly basis.</p> <p>Joint Advisory Group meeting on a monthly basis.</p>	10
<p>Comments: In December 2022, the government issued a consultation on proposed reforms to the planning system, which included proposed changes to Local Plan preparation. As a result of this and resource issues the timetable for the JSP is being reviewed.</p>										

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16	Non-delivery of the Development Management review.	<ul style="list-style-type: none"> Reputational damage. Failure to meet the national thresholds for 'major' and 'non-major' planning applications. Significant resource invested in the project. Staff morale. 	4	2	8	<ul style="list-style-type: none"> Approved project plan with dedicated workstreams incl recruitment & retention Internal programme board chaired by Chief Executive. £150k funding secured through the DLUHC pathfinder projects scheme. In February 2023, further £300k awarded from the DLUHC-Planning Software Improvement Fund to help improve customer experience for planning service users. Interim operational manager is in place. 	Head of Development Services	4	<ul style="list-style-type: none"> Delivery of project action plan. Support service review. Deliver new ways of working through Business Transformation, including expenditure of the DLUHC funding. 	4

Comments: This is a NEW risk added to the register.

The development management review is a corporate priority, the Business Transformation Team are allocating a considerable amount of their time in working with colleagues in the DM service, to identify and implement service improvements. This is a good example of collaborative working.

The successful bids from DLUHC, will assist the council in implementing service improvements e.g. Planning application tracker. A key work stream that is progressing is the review of the DM Support Service.