

Appendix 1 - Tewkesbury Borough Council: Corporate Risk Register (updated July 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

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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>	Executive Director: Resources	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. • Business rates reform • Future of NHB and whether an alternative scheme will be brought forward. 	9

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<p>Comments:</p> <p>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	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>	Associate Director: IT and Cyber	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. Following the previous penetration testing a mandatory network change of password for all staff was carried out. To check the success of this a further penetration test was conducted and the results were positive. A new post of Network and Cyber Manager is in place (with cyber responsibility) and has been actively working to reduce the risk from vulnerabilities in the network. Technical disaster recovery testing was successfully carried out in April and a further corporate exercise is planned for later in the year. The team successfully delivered the council's new remote working solution to migrate from the Ivanti Pulse solution to Fortinet.</p>										
3	If business continuity planning is not in place then	<p>A BC incident could be any of the following;</p> <ul style="list-style-type: none"> ICT downtime 	4	4	16	<p>Individual service continuity plans.</p> <p>Draft corporate plan.</p>	Director: Corporate Resources	12	Finalise and test draft plan.	9

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	there is a risk the council would struggle to deliver its services in the event of an incident.	<ul style="list-style-type: none"> Major staff absence Property access Supply chain failure <p>Leading to reputational damage, financial loss, impact on service delivery etc.</p>				ICT disaster recovery.			Review of individual service plans.	
<p>Comments: A review of individual service plans, supported by the Civil Protection Team is completed. These plans will now help form the ICT BCP by identifying service areas priority systems. Following this a review of the corporate business continuity plan will be finalised and tested. At the end of March a national exercise called 'Mighty Oak' was undertaken, which simulated how authorities respond to a National Power Outage. The exercise went well, and the lessons learnt will inform the council's business continuity and emergency planning arrangements.</p>										
4	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> <p>Resource – time consuming to report, investigate and mitigate data breaches</p>	4	4	16	<p>Updated 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>	Director: Corporate Resources	12	<p>Rollout of e-learning module</p> <p>Implementation of related audit recommendations.</p> <p>Implementation of GDPR action plan</p> <p>Review of data protection policy.</p>	9

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6	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>	Director: Corporate Resources	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
Comments: The current service and commercial portfolio are in a good state of repair with minor works ongoing. External funding to support the replacement of the heat system at the Council Offices has been secured – a report to Council in July is requesting internal funding to support this project. The commercial property portfolio is now fully let. An asset management and maintenance plan is to be developed by the end of the calendar year.										
7	Garden Town status	<p>Failure to deliver Garden Town programme will have an impact on the Council in</p> <ul style="list-style-type: none"> Reputation - Confidence from Government of TBC ability to deliver 	5	5	25	<p>Regular meetings with the Project Assurance Group/Programme Board which is attended by a Homes England (HE) representative.</p>	Associate Director- Garden Towns	20	<p>Previous capacity funding awards from Government have also included £1.5m towards the County run J9/A46 project to assist with the</p>	9

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		<p>programme (<i>planning stages</i>).</p> <ul style="list-style-type: none"> Financial (loss of NHB from assumed delivery of homes). Non-delivery of homes and jobs required for community (<i>delivery stages</i>). 				<p>The programme 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>Regular review meetings with representatives from HE and DLUHC.</p>			<p>ongoing business case development, plus £500k for assessment of options for establishing a delivery vehicle for the GT– draft outline business case having been submitted to DLUHC for comment (April 2023).</p> <p>Further work on the programme currently on pause pending outcome of Gateway Review</p>	
Comments: The programme is currently paused pending the findings of an external gateway review on the management of the programme.										
8	Non-delivery of the Ashchurch bridge project.	The project under HIF funding has a time limit of March 2024 for complete funding draw-down. This however was not	5	3	15	Grant funding agreement with Homes England (2019)	Associate Director- Garden Towns	25	A Judicial Review submitted by a group of local parishes was heard at the high court in November.	8

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		extendable and further HIF funding support has been withdrawn.				<p>Planning permission granted 16 March 2021.</p> <p>(Note: Planning permission now quashed.)</p> <p>Agree licence/access with landowners</p> <p>Network Rail is an active part of the project board.</p>			In January 2022, the Judicial Review ruled robustly in the Council's favour and all challenges were dismissed. However, the parishes lodged an appeal, heard in December 2022 and the judgement - received in February 2023 quashed the planning consent.	
Comments: Judgement now received and the planning consent has been quashed. Due to the HIF funding constraints – completion by March 2024 – further funding support has been withdrawn. The project continues to assess other delivery options including further grants as well as developer delivery.										
9	The climate change motions approved by Council included a commitment to achieve countywide	<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>	Executive Director: Resources	16	Identification of specific actions to support wider carbon neutrality of whole council and the Borough.	4

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requesting further ongoing and one off financial resources to support the latest climate motion and enable the development of a borough wide climate action plan.										
10	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 • Inflationary increases on council supplies and services • additional resource to deliver govt schemes eg energy rebate/food vouchers/warm places 	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 • Introduction of multi service cell to harness a cohesive response 	Director: Community Services	20	Monitor the impact and consider what further actions can be taken working closely with other partners.	10

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12	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. 	Associate Director: Development Services	42 15	<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. A revised Local Development Scheme is due to go to Executive Committee on 12 July for approval at Council.</p> <p>Steering Group continue to meet on a weekly basis.</p> <p>Joint Advisory Group meeting on a monthly basis.</p>	10

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<p>Comments: The Government has announced a delay in implementing its planning reforms, this was due to the high volume of responses they received to the consultation. Nether the less a review of the JSP timetable reflecting partnership working with Cheltenham and Gloucester City is to be considered by Executive Committee and Council in July. Furthermore, additional staff capacity is being provided in accordance with the resource review to help mitigate any potential delays in the technical work required. Due to the level of uncertainty following the planning reform and the pending formal adoption of the revised JSP timetable the current risk score has been increased from 12 to 15.</p>										
13	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. Gap in leadership ahead of permanent resource starting. Staff morale. 	4	3	12	<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 	Associate Director: Development Services	9	<p>Delivery of project action plan.</p> <p>Support service review.</p> <p>Deliver new ways of working through Business Transformation, including expenditure of the DLUHC funding.</p>	4

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						for planning service users. <ul style="list-style-type: none"> Interim operational manager is in place. 				
Comments: With a current gap in senior leadership within the development management team (AD Planning and Exec Director of Place), there is an increased risk in the delay in delivery of some elements of the DM review – although this is being mitigated as much as possible with the support of the continuous improvement project board, and in particular the interim head of service.										
14	Outcome of the DEFRA consultation on the waste service.	If central government impose a change to our waste collection methodology the impact could be significant both in terms of the financial impact of purchasing new fleet, containers etc but also the disruption to residents.	5	4	20	There is little that can be done at this stage to mitigate this risk. Nearer the time there may be an opportunity to undertake an assessment of the service to demonstrate that it is technically, environmentally and economically practical to continue with the current service.	Director: Communities	20	Await the outcome of the government's consultation. Continue to send messages to government that waste collection should be a local decision.	2
Comments: New risk added following Audit and Governance Committee request in March 2023. Awaiting announcements from central government.										

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