

## Appendix 1 - Tewkesbury Borough Council: Corporate Risk Register (updated September 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"> <li>Spending Review.</li> <li>Fair Funding Review.</li> <li>Business rates reform</li> <li>Future of NHB and whether an alternative scheme will be brought forward.</li> </ul>	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. <b>A medium term financial projection is currently being produced, based on the limited information we have and forecasting a range of scenarios, for sharing with Transform Working Group before coming to Council in the Winter.</b></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: <b>New vulnerability management system is now fully operational and is allowing for swifter identification and management of required remediation work. New segmentation of the network is underway and initial pilot has been successful. Phishing exercises have taken place and this has identified where additional training is needed.</b></p>										
3	If business continuity planning is not in place then there is a risk	<p>A BC incident could be any of the following;</p> <ul style="list-style-type: none"> <li>• ICT downtime</li> <li>• Major staff absence</li> </ul>	4	4	16	<p>Individual service continuity plans.</p> <p>Draft corporate plan.</p>	Director: Corporate Resources	12	<p>Finalise and test draft plan.</p> <p>Review of individual service plans.</p>	9

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	the council would struggle to deliver its services in the event of an incident.	<ul style="list-style-type: none"> <li>Property access</li> <li>Supply chain failure</li> </ul> <p>Leading to reputational damage, financial loss, impact on service delivery etc.</p>				ICT disaster recovery.				
<p><b>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</b></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> <p>Staff morale – in case of data breaches, potential disciplinary action</p>	4	4	16	<p>Updated Data Protection Policy – approved June 2023.</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> <p>Staff awareness training.</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>	9

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						GDPR action plan.				
<p>Comments: A new Information Governance Officer (IGO) started on 18 September following the promotion of the previous postholder to Head of Audit and Governance role. The key role of the IGO will be to review and proactively take forward the GDPR action plan of which there are a couple of significant projects, particularly around data retention. The updated Data Protection Policy was approved by Executive Committee in June 2023.</p>										
5	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.	Director: Communities	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
<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. <b>No further change to this risk since the last update in July. An emerging piece of work is the potential for a new joint depot which could be located within the borough. A report is scheduled for Executive Committee in November around the project plan and principles for this piece of work.</b></p>										
6	Failure to maintain council assets and	The council has a significant property portfolio encompassing operational	5	4	20	Recent refurbishment of service-related property.	Director: Corporate Resources	10	Establishment of long-term asset maintenance	5

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	ensure ongoing tenancies could result in significant cost and lost income	and investment assets. For example, the total commercial portfolio is £60m producing an annual gross income of £3.7m.				<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>			<p>programme, including allocation of required funding.</p> <p>Establishment of annual contribution to Asset Maintenance Programme.</p>	
<p><b>Comments:</b> 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 went to Council in July requesting internal funding to support this project. The commercial property portfolio is now fully let. A Strategic Asset Management Plan and individual property asset maintenance plan are to be developed by the end of the calendar year.</p>										
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"> <li>Reputation - Confidence from Government of TBC ability to deliver programme (<i>planning stages</i>).</li> </ul>	5	5	25	<p>Regular meetings with the Project Assurance Group/Programme Board which is attended by a Homes England (HE) representative.</p> <p>The programme is being managed through the</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 ongoing business case development,</p>	9

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		<ul style="list-style-type: none"> <li>Financial (loss of NHB from assumed delivery of homes).</li> <li>Non-delivery of homes and jobs required for community (<i>delivery stages</i>).</li> </ul>				<p>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>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>	
<p>Comments: The programme is currently paused pending the findings of an external gateway review on the management of the programme. <b>A report detailing the recommendations from the gateway review will be presented to Council on 26 September 2023. The risk description and risk score will be re-evaluated following the outcome of the decision at council.</b></p>										
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 extendable and further HIF	5	3	15	<p>Planning permission quashed.</p> <p>Agree licence/access with landowners</p>	Associate Director-Garden Towns	25	A Judicial Review submitted by a group of local parishes was heard at the high court in November. In January 2022, the	8

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		funding support has been withdrawn.				Network Rail is an active part of the project board.			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.	
<p>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. At the present time, no party has indicated an appetite to bring the project forward again. If they do, then the legal issues identified by the Court of Appeal would clearly have to be addressed. <b>No further change to this risk since the last update in July.</b></p>										
9	The climate change motions approved by Council included a commitment to achieve countywide carbon	<ul style="list-style-type: none"> <li>- Significant change to service delivery.</li> <li>- Ability to influence wider community.</li> <li>- Significant financial input</li> </ul>	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	<p>Identification of specific actions to support wider carbon neutrality of whole council and the Borough.</p> <p>Allocation of funding to support specific</p>	4



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	neutrality aims as well as carbon neutrality for the Council's own services.					<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>			<p>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 efficiency and reduce cost</p> <p>Assessment and delivery of capacity and resource necessary to meet the Council's motion.</p>	
<p>Comments: The Council has been awarded £708,000 of funding from the Public Sector Decarbonisation scheme to support the replacement off gas boilers with an air source system at the Council offices. <b>Council agreed, in July, to match fund the scheme, the installation has started and expected to be completed by March 2024. Executive Committee also approved a new and permanent Climate Change Officer role within the Council to support the existing resource.</b></p>										

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10	Additional demand placed upon the council through cost of living support.	<ul style="list-style-type: none"> <li>• Potential increase in homelessness cases</li> <li>• Increase in benefit related cases eg council tax reduction applications/DHP etc</li> <li>• Reduced council tax and business rate collection rates</li> <li>• Increased business enquiries to growth hub</li> <li>• Inflationary increases on council supplies and services</li> <li>• additional resource to deliver govt schemes eg energy rebate/food vouchers/warm places</li> </ul>	4	5	20	<ul style="list-style-type: none"> <li>• Re-instigate the Financial Inclusion Partnership</li> <li>• Dedicated Discretionary Housing Payments Officer</li> <li>• Use of £100k TBC business grant scheme to support small business</li> <li>• Re-target balance of £98k council tax hardship grant</li> <li>• additional external funding eg £55k to support warm places</li> <li>• Introduction of multi service cell to harness a cohesive response</li> <li>• New version of the household support grant being devised</li> </ul>	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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<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. <b>A number of support schemes are in place and these are kept under constant review. This risk will continue to be under review.</b></p>										
11	A sustained increase in migration and movement of people could place increased demand on services	<ul style="list-style-type: none"> <li>• service deterioration</li> <li>• Increased demand in the Voluntary and Community Sector</li> <li>• Negative impact on the wider cohesion of the community.</li> <li>• Increased financial pressure on budgets</li> </ul>	4	4	16	<ul style="list-style-type: none"> <li>• member of the countywide strategic migration partnership</li> <li>• Lobby MPs / Government to increase funding and support for all migration schemes.</li> <li>• Continued engagement with the South West Migration Partnership to stay informed on the Afghan dispersal.</li> <li>• <b>Development of contingency plans for large numbers of homeless applications over the winter when pressures are already significant.</b></li> <li>• <b>A number (12) properties have been</b></li> </ul>	Director: Community Services	16	Monitor the impact and consider what further actions can be taken working closely with other partners	10

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						earmarked for Afghan / Ukrainian families funded by DLUHC / partners.				
<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 risk. Partners have established the Gloucestershire Strategic Migration Partnership Group (GSMP) and they will be monitoring the overall risk within the county. This risk will continue to be under review. <b>There is also a plan to disperse Afghan migrants out of hotels. Asylum seekers in hotels are starting to receive decisions on their applications and this could lead to an influx of homeless applications. The GSMP are currently working on contingency planning for high demand on housing / homeless services particularly over the winter period.</b></p>										
12	Delays in progressing the Joint Strategic Plan (JSP).	<ul style="list-style-type: none"> <li>lack of up to date strategic policies - potentially lead to inappropriate development</li> <li>Reputational damage.</li> <li>Requirement for additional resources.</li> <li>Insufficient strategic site allocations to deliver housing and land for employment.</li> <li>Impact on securing external funding for key infrastructural projects</li> </ul>	5	3	15	<ul style="list-style-type: none"> <li>Appointed a new Senior Responsible Owner (SRO).</li> <li>Evidence base tracker was created in July 2022.</li> <li><b>Budgetary provision now agreed by three councils to provide dedicated staff and project resource to fund delivery of Plan.</b></li> </ul>	Associate Director: Planning	15	<p>A review of the budget and staff resources to deliver the JSP has been undertaken.</p> <p><b>A revised Local Development Scheme has now been approved by all three councils.</b></p> <p>Steering Group continue to meet on a weekly basis.</p>	10

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						<ul style="list-style-type: none"> <li>Detailed risk register has been created.</li> <li>Detailed work programme has been developed.</li> </ul>			Joint Advisory Group meeting on a monthly basis.  <b>Lead in towards Issues and Options consultation at the end of calendar year now underway with Local Plan Reference Groups and Exec / Council meetings programmed. Consultation to follow thereafter.</b>	
<p><b>Comments: Still no finalisation of Government planning reforms. At present agreed timeline could only be delivered if either these reforms were not implemented or if the Government adopted more flexible transitional arrangements either allowing the JSP to progress under the current system or to transition to the new system. Significant progress has been made since the last update with new LDS and resources to deliver the Plan agreed. The Issues and Options consultation is tracking towards the respective councils for approval but will not formally commence until just before Christmas.</b></p>										

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13	Non-delivery of the Development Management review.	<ul style="list-style-type: none"> <li>Reputational damage.</li> <li>Failure to meet the national thresholds for 'major' and 'non-major' planning applications.</li> <li>Significant resource invested in the project.</li> <li><del>Gap in leadership ahead of permanent resource starting.</del></li> <li>Staff morale.</li> </ul>	4	3	12	<ul style="list-style-type: none"> <li>Approved project plan with dedicated workstreams incl recruitment &amp; retention</li> <li>Internal programme board chaired by Chief Executive.</li> <li>£150k funding secured through the DLUHC pathfinder projects scheme.</li> <li>In February 2023, further £300k awarded from the DLUHC-Planning Software Improvement Fund to help improve customer experience for planning service users.</li> <li>Interim operational manager is in place.</li> <li><b>New Associate Director Planning now in place.</b></li> <li><b>£100k bid was submitted for the</b></li> </ul>	Associate Director: Planning	9	<ul style="list-style-type: none"> <li>Delivery of project action plan.</li> <li>Support service review.</li> <li>Deliver new ways of working through Business Transformation, including expenditure of the DLUHC funding.</li> </ul>	4

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						Government launched Skills and Capacity Backlog Fund (deadline 11 Sept).				
<p>Comments: <b>New Associate Director now started and overseeing the DM review. On 11 September the council submitted a bid to the Government skills and capacity backlog fund to help continue the work being carried out.</b></p>										
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
<p>Comments: <b>New risk added following Audit and Governance Committee request in March 2023. No change to this risk since July 2023 still awaiting clarity on the future of waste services from central government.</b></p>										