

APPENDIX B - Planning Policy Risk Register

Ref:	Risk cause and event	Risk consequences	Risk Owner	L	I	RAG	Mitigating actions and responsibility	Status update	On Corporate register
1	Lack of five year housing land supply, including gypsy and traveller land	<ul style="list-style-type: none"> * Inability to meet government's standard methodology figure. * Potential to lose control of where development takes place with risk to amount of affordable housing and minimum infrastructure. * Travellers could be granted permission within the greenbelt. 	Head of Strategy	4	4	16	<ul style="list-style-type: none"> * Prepare a robust housing trajectory. * Apply an appropriate buffer to the housing supply to provide for flexibility. * Allocate sites for housing and gypsy and travellers. * Adopt the Local Plan. * Monitor and maintain planning permissions. * Approve planning applications against the development plan. * Ongoing discussion with the Inspector via the Programme Officer. * Defend appeals. 	* No update since previous committee, linked to progress of Local Plan.	
2	Local plan is found unsound by the Inspector	<ul style="list-style-type: none"> * Impact on ability to reject inappropriate planning applications. * Unable to lobby and deliver infrastructure that meets the needs of local residents, public sector partners and businesses for the whole District. * More challenge to develop policies and working with others to support the building of affordable homes. * Inability to meet statutory requirement and risk of statutory intervention. * Unable to review Community Infrastructure Levy. * Additional costs associated with developing a new Plan. * Reputational damage. 	Chief Planning Officer	4	4	16	<ul style="list-style-type: none"> * Dialogue maintained with the inspector following receipt of preliminary conclusions. * Members to be made aware of any risks associated with responses / hearing sessions to the Inspector. * Ensure responses to the Inspector are submitted in a timely manner. * Work with statutory bodies where appropriate to ensure no objection. * Maintain and defend the strategy set out in the submitted Our Local Plan. * Consider legal advice appropriately. * Use consultants and experts in their field where appropriate to defend the Council's Local Plan. * Undertake additional evidence and main modifications as required by the Inspector. * Continue to have discussions with the Inspector via the Programme Officer. * Keep members updated. 	* Early consideration of budgets and implications have been commenced. However these options cannot be concluded until transport modelling completed (relating to Junction 6), results were expected end of May 21, however these have been delayed. The results of the modelling are needed before further options can be considered. * Project timetable has encountered an obstacle, namely due to delays in liaison with third parties. The issue is being escalated appropriately.	Yes
3	Lack of capacity in Planning Department negatively impacts performance and delivery of service, such as determining applications in statutory timeframes and managing complaints and FOIs	<ul style="list-style-type: none"> * Inability to provide statutory services to a sufficient standard / quality / timeframe and reporting of poor performance. * Inability to provide non-statutory services which are valued. * Negative impact on staff health and wellbeing. * Reputational damage. 	Chief Planning Officer	4	4	16	<ul style="list-style-type: none"> * Peer-review of development management department undertaken by Planning Advisory Service (PAS). * Local enterprise partnership supporting the Council's Community Infrastructure Levy (CIL) work. * Recruitment of temporary staff. * Continuing suspension of non-statutory services to enable focus on statutory services. 	* Risk proposed and agreed by the Executive Team to be included on the Corporate Risk Register. * Executive team are reviewing the draft PAS report.	Yes
4	Failure to determine a Planning application within the statutory period	<ul style="list-style-type: none"> * Risk of non-determination appeals. * Risk of costs claims being awarded. * Reputational damage. * Unable to deliver a statutory function of the Council. 	Chief Planning Officer	4	4	16	<ul style="list-style-type: none"> * New processes being developed to improve efficiency of service. * Additional permanent resources being recruited. * Additional temporary staff recruited. * This area of work is closely monitored. 	* See mitigations and Risk 3.	

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5	Significant increase in number of Complaints and FOIs in Planning	<ul style="list-style-type: none"> * No designated officer has capacity in existing team to manage Complaints/FOIs. * Taking staff in Planning away from their duties. * Impact on Statutory service and causing delays in Validation. * Unprecedented backlogs. * Applications not being determined in time. * Negative impact on Member / Officer relations. 	Chief Planning Officer	4	4	16	<ul style="list-style-type: none"> * Member training on Planning as part of induction programme. 	* See mitigations and Risk 3.	
6	Local Plan needs further evidence, topic papers or main modifications prior to considering it sound dependent on how Council chooses to progress the plan following receipt of Inspector's letter	<ul style="list-style-type: none"> * Changes the policies within the submitted plan. * Requires additional finance. * Staff to carry out the changes, although not currently resourced to do so. 	Head of Strategy	4	3	12	<ul style="list-style-type: none"> * Prepare additional evidence where required by the Inspector. * Respond to the Inspectors questions in a timely manner. * Prepare main modifications and provide these to the Inspector when requested. * Retain staffing levels to accommodate need for additional work. * Organise hearings or Inspector led consultations if required. * Continue to utilise counsel where necessary. * Ensure the Council understand the main modifications process and that the Inspector remains the leader in all examination matters. * Liaise with the inspector via the Programme Officer as and when needed. 	* Risk wording amended in light of receipt of inspector's letter.	
7	Lack of capacity in Strategy team delays progress in planning policy workstreams	<ul style="list-style-type: none"> * Delays to progression of corporate projects and workstreams (e.g. the Local Plan, flood alleviation etc.). 	Chief Planning Officer	4	3	12	<ul style="list-style-type: none"> * Review appropriate levels of resourcing following Council's decision on how to progress with the Local Plan. 	<ul style="list-style-type: none"> * Strategy team briefing the new Chief Executive and other Directors. * See mitigations and Risk 3. 	
8	Budget constraints in defending Public Inquiry appeals	<ul style="list-style-type: none"> * Reputational damage. * Impact on Council's budget. * Going over budget due to being unable to predict number of Public Inquiries per annum. * Potential high cost awards if Council does not invest in strong Counsel defence. 	Chief Planning Officer	3	4	12	<ul style="list-style-type: none"> * Reviewing budget for Counsel. * Seek Legal advice before determination on complex / major schemes before determination to ensure robustness in case. * This area of work is closely monitored. 	* See mitigations and Risk 3.	
9	Failure to correctly determine a planning application due to pressures of caseloads and lack of resources	<ul style="list-style-type: none"> * Potential Judicial Review if decision is potentially unsound. * Reputational damage. * Increase in complaints. * Poor service. * Costs claims / awards. 	Chief Planning Officer	3	4	12	<ul style="list-style-type: none"> * Maintain cross checking of reports and decision notices. * Maintain specialist (legal, policy and regulatory) input in decision taking. * IT have made changes to internal systems to pull through time sensitive applications. 	* See mitigations and Risk 3.	

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10	Inability to explore and exploit potential efficiency gains of new IT systems due to lack of capacity	* Strain on development management team capacity. * Unable to improve processing times for applications.	Head of Planning	3	3	9	* Head of Planning updating relevant colleagues in IT. * Regular meetings between Planning and IT.	* See mitigations and Risk 3.	
11	Failure to determine a Building Control application within the statutory period	* Unable to meet Partnership key performance indicators. * Reputational damage.	Chief Planning Officer	2	4	8	* Highly trained staff able to work flexibly on different tasks.	* Team continue to process 100% of applications on time in April 2021.	
12	Reduction in planning applications and associated CIL income	* Lack of infrastructure funding. * Have to administer CIL without additional income. * Reputational impact of not being able to deliver infrastructure.	Head of Strategy	1	2	2	* Continue to administer CIL.	* Risk reduced to Green as no evidence of reduction in applications.	