

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**LOCAL PLAN ADVISORY COMMITTEE – 9 SEPTEMBER 2014**

Title of report	<b>LOCAL PLAN – RISK MANAGEMENT</b>
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Purpose of report	To advise members of the approach taken in respect of the management of risk associated with the Local Plan.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Business and Jobs Homes and Communities Green Footprints Challenge</p>
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	A risk assessment of the project has been undertaken. As far as possible control measures have been put in place to minimise these risks, including monthly Project Board meetings where risk is reviewed
Equalities Impact Screening	None
Human Rights	None
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory

Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	None
Recommendations	<b>THAT THE ADVISORY COMMITTEE NOTES AND COMMENTS ON THE CURRENT RISK ASSESSMENT</b>

## 1.0 RISK MANAGEMENT

- 1.1 There are a number of potential risks associated with producing the Local Plan. It is important that such risks are managed as far as possible. To help with this a Risk Assessment has been undertaken at the outset of producing the Local Plan and it is reviewed at every monthly officer Project Board meeting.
- 1.2 In accordance with the Council's agreed Risk Management Strategy all potential risks are assessed in terms of both the likelihood of the risk materialising and its potential impact with and without any mitigating controls. Each risk is given a score with those scoring 8 or more (after allowing for mitigation controls) representing the highest risk.
- 1.3 Risks can be categorised in terms of whether they are external or internal to the Council (i.e. is the risk one which the Council can control entirely on its own or is it dependent upon the decisions and actions of external organisations) or are subject to local factors (i.e. something specific to a locality – for example the volume of responses to a consultation).
- 1.4 The current risk assessment is attached at Appendix A to this report.
- 1.5 In summary, the risk assessment identifies 15 specific potential risks at the current time. Of these 6 are external, 5 internal and 4 are subject to local factors. Of the risks identified there are 6 which are considered to be high risk. These are:

- Loss of staff Internal
- Failure to agree amount and distribution of housing across the HMA External
- Members unable to make a decision on what should go into the submission Local Plan Internal
- Deliverability issues on potential allocations delay preparation and adoption of Local Plan. Local Factors
- New household projections to be published by DCLG in May 2015 are significantly different to current projections. External
- Production of alternative SHMA which identifies significantly different assessed needs from the Leicester and Leicestershire SHMA. External

- 1.6 As noted above the risks are reviewed at each officer Project Board meeting where scores are adjusted to reflect the current circumstances. For example, in the event that the Memorandum of Understanding is agreed with the other HMA wide authorities then the score attached to the second risk listed above will probably need to be reviewed downwards.
- 1.7 Throughout the lifetime of the project new risks may emerge and so these will need to be added to the risk register.
- 1.8 It is proposed to provide an update of risk at each meeting of the Advisory Committee.

**APPENDIX A**

<b>Risk Identified</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk rating</b>	<b>Countermeasures</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk rating</b>
Loss of staff during preparation of Local Plan thus resulting in lack of resources to deliver to agreed timetable.	3	4	12	In the event of a vacancy it will be vital to ensure that it is filled as soon as possible, although this will conflict with vacancy savings built in to the budget. Taking a flexible approach to how vacancies are filled (for example by the employment of consultants/temporary staff to deal with specific tasks rather than a full time replacement) would also help although this will require careful management and would need to stay within budget.	3	3	9
Failure across the Housing Market Area (HMA) to agree overall housing requirements and distribution of housing in a timely manner following completion of the Strategic Housing Assessment (SHMA) which has been commissioned jointly by the HMA authorities.	3	4	12	Discussion have taken place at HPIG regarding need to ensure that all authorities agree to new housing requirements and distribution. A Member Advisory Group has been established to provide a sounding board on strategic planning matters. It is not yet clear whether this will be sufficient to provide a basis for agreement or whether this can be achieved in a timely manner.	3	4	12
New Government guidance which affects approach being taken thus requiring additional work and hence delays.	3	3	9	Ensure that all Planning Policy team is aware of any emerging issues and guidance and immediately assess potential impact upon Local Plan.	3	2	6

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Volume and nature of responses to consultations results in need for additional work.	3	3	9	Generally the interest and expectations of public, developers and landowners in the Local Plan process is high. Consider the employment of temporary staff or redeployment of resources from elsewhere in the Regeneration and Planning department to assist with any capacity issues arising from consultations, particularly in respect of administrative duties so as to free up experienced planning officers.	3	2	6
Insufficient budgetary resource available to undertake work necessary to support the Local Plan , including background studies and evidence gathering	4	4	16	Local Plan a key corporate priority to which budgetary provision will be attached.	1	1	1
Number of significant planning applications submitted and /or appeals which require input from Planning Policy staff	3	3	9	Need to ensure that Local Plan work is prioritised and that this is communicated to staff in both Planning Policy and Development Management. Consider use of external consultants to provide assistance where appropriate. This will be managed on a case by case basis by the Head of Regeneration and Planning.	3	2	6

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Lack of sufficient capacity available at stakeholders and Planning Inspectorate, particularly in light of recent public sector funding cuts.	2	3	6	<p>Planning Inspectorate to be consulted on proposed programme in LDS. A Service Level Agreement will be signed when programme agreed.</p> <p>Ensure that stakeholders are engaged in process as early as possible. Identify key personnel within stakeholder organisations who have role to play.</p>	2	2	4
Un-prioritised corporate or external requirements impinge upon the resources available within the Planning Policy team	2	3	6	Ensure that appropriate priority attached corporately and politically to Local Plan. Ensure that issues such as progress on HS2 are monitored and any potential implications for work of Planning policy team identified as early as possible. It is currently anticipated that final government decision will be towards the end of 2014 so any impact is likely to be after this date.	1	2	2

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Local politics undermines the Local Plan process and confidence in the outcomes	4	4	16	The final decision as to what goes into the submission Local Plan rests with the Full Council. Previous experience suggests that large numbers of members have not felt fully engaged as they have not been involved in the preparation process. To help overcome this a Local Plan Working party has been established to oversee the preparation of the Local Plan. This will provide an opportunity to engage with more members. It will be necessary for those members on the working party to act as champions for the Local Plan and to discuss issues within their respective groups so as to minimise the potential for lack of support when the Local Plan goes before Full Council.	3	4	12
Deliverability issues on potential allocations delay preparation and adoption of Local Plan.	3	4	12	Work with site promoters to identify issues early on and ensure that evidence base is comprehensive and robust. All allocations to be subject to viability testing.	2	4	8
Challenge by third party that definition of the housing market area is not appropriate.	3	4	12	Ensure that new SHMA addresses issue of appropriateness of the HMA.	2	2	4

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Delay to production of Local Plan in the event that it is decided to define Limits to Development. This delay will be due to both the work involved in defining limits as well as the likelihood of an increase in representations at consultation stage and the time to deal with these.	3	3	9	Ensure that in the event that Limits to Development are to be defined there is a clearly defined methodology to be followed to define limits.	3	2	6
New household projections to be published by DCLG in May 2015 are significantly different to current projections.	4	3	12	Officers to review projections when published and advise of any implications.	3	3	9
Lack of project management resource which results in officers having to commit more time to project management rather than plan development.	3	3	9	Arrange to get additional resource to provide project management capacity.	2	2	4
Production of alternative SHMA which identifies significantly different assessed needs from the Leicester and Leicestershire SHMA.	4	4	16	Ensure that consultants who prepare SHMA are experienced and reliable and that SHMA is prepared consistent with national guidance. This would help to reduce the potential impact although not the likelihood as this is beyond the council's control.	4	3	12