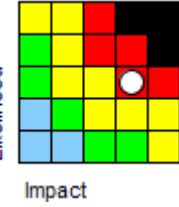


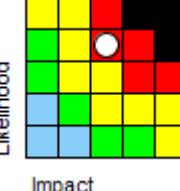
## Strategic risks

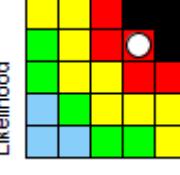
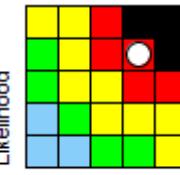
**Report Type:** Risks Report

**Report Author:** Charlotte Hammersley

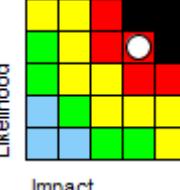
**Generated on:** 21 September 2021

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 FINIT 003	Successful cyber attack	Data breach. Loss of service. Reputation. Financial.	 Likelihood Impact	Staff training  Patching, firewall, policy rules  Emergency planning exercise  Quality Monitoring Team  Dedicated co-ordinator and programme management systems in place  Approved design code and quality charter  District Deal working protocol	-	A new suite of online Cyber Security training has been issued to all staff and councillors for completion. The training was jointly developed by a supplier (matobo), a group of local authorities & National Cyber Security Centre.

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 POL0 3	Ashford College - delivery of phase 2	Removal of ability for the college to deliver engineering courses in Ashford. Non-delivery of ABC part funded college building within timeframes of the funding agreement	 Likelihood Impact	Ongoing monitoring with College	-	<p>EKC Group submitted a bid for 16-19 Capacity Fund, for a £4.6 million extension of the Ashford Elwick Road Campus to deliver a new Engineering block as part of their next phase of development. This will not deliver the whole of existing Phase 2 planning permission, but will deliver about half the space, leaving a further phase to be delivered at a later date. This new building will house courses in Engineering, Business and IT. This development will require discussion with ABC planning about a Section 73 application to vary the existing permission. EKC Group expect to hear the outcome of this funding application in the next few months.</p> <p>As part of the Newtown Works Project, EKC Group supported the submission of the Levelling Up fund bid, that could see 2,000 sq m of educational space within this development to support skills development around the new Film and TV Studios.</p>

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR19 PLAN 017	Poor quality water in the River Stour (nitrates and phosphates)	An inability to permit housing development without appropriate assessment and mitigation measures. Negative impact on council budget due to loss of planning income, cost of mitigation strategy.	 Likelihood Impact	Legal advice received being followed  Relevant stakeholders working on mitigation schemes to allow development to take place.	-	No change to risk assessment, since last assessment.  Work continuing to identify and acquire land suitable for wetland creation for the Borough Mitigation Strategy. Workshops to be held to discuss options with key stakeholders. Applications proposing on-site mitigation continuing to progress through Appropriate Assessment process.
CR20 POL0 2	Eurostar – negative impact on local economy (development and investments) due to Eurostar not stopping in Ashford until 2022.	Loss of international status. Reduced development and investments in Ashford. Reduced connectivity to Europe, use of station.	 Likelihood Impact	Partnership Working  Lobbying	-	Continued discussions are being undertaken and a meeting with Eurostar took place in September to discuss their current position. Eurostar are lobbying hard to remove restrictions on travel to support increased international travel. Services have started to increase since mid-august, but are still at very low levels compared to pre-covid. Eurostar are saying that Kent Stations are unlikely to be operational again until the end of 2022. A further meeting is scheduled to take place with Eurostar in early 2022, at which point further actions by KCC and ABC can be considered.

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR21 ENV0 09	Failure to deliver Ashford aspect of Mid-Kent Joint Waste Management Contract	Financial impact on the MTFP. Impact on recycling rates. Council's reputation. Disruption to waste collection service.	 Likelihood Impact	Regular communication, liaison & escalation of issues Information sharing and collaboration Financial planning, analysis and internal controls Access to specialist support, advice and expertise Contingency planning	-	<p>The Mid-Kent Joint Waste Management Contract is a partnership contract with Maidstone Borough Council and Swale Borough Council. Currently we are in tender development process for a Competitive Dialogue tender. This will procure collection services for all three partners, and cleansing for Ashford and Swale. Kent County Council is also party to the agreement as the Waste Disposal Authority and provides facilities and financial enablement from recyclate revenues. Currently we are aware of the key risks which articulated in a risk register for the project. The next step will be to further share with key stake holders. This risk register will be reviewed both by the New Waste Contract Task Group (Members) and current contract partners.</p>

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CRP OL21 01	Not meeting our climate commitments	Environmental damage (for example flooding and loss of biodiversity) and reduction in residents' health and wellbeing)	 Likelihood Impact	Carbon reduction action plan Members of Kent Climate Change Network Green principles embedded in decision making and project management processes Ashford Climate Action Campaign	-	This is a new risk on the register which reflects council's carbon neutrality ambitions and the national risk register position. ABC's draft Carbon Reduction Plan is out for public consultation until October 2021. As well as an online survey, consultations have taken place with individual organisations and parish councils in the borough. The comprehensive plan brings together the council's activities to tackle climate change including the air quality action plan, cycling and walking strategy, tree planting, solar farms and net zero housing development. ABC is also developing its carbon baseline to inform our carbon decent plan. £2 million of reserves has been set aside to assist with tackling climate change and delivery of the action plan.
CR17 PLAN 015	South of Ashford Garden Community not delivered to time and quality	A quality garden community not delivered in accordance with the approved vision and strategy within anticipated timescales.	 Likelihood Impact	Chilmington Together governance structure in place	-	<b>See detailed note on the next page.</b>

## **CR17PLAN015 Garden Community Priority Project Delivery**

Work is underway to develop a sustainable transport policy with community consultation to take place shortly. Proposals to work with Ashford College are under development to begin to meet the education and skills agenda. A high level review of the design code is underway with outcomes expected shortly, following consultation with KCC and the developers. Work to secure agreement around the stewardship approaches at Court Lodge are progressing with resource focused on this to enable the application to reach committee. The SAGC strategy will be published shortly with a website developed over the autumn period, in tandem with the Ashford College project.

### **Planning Matters**

Ongoing discussions with Hallam Land re Court Lodge continue with agreement to the community heads of terms expected soon. The review of the Nutrient Neutrality report for CL is underway. Once the remaining matters are confirmed/resolved, the application will move to Committee for resolution.

### **Chilmington Green Delivery**

We have 175 occupations with more expected by the end of October. Barratts have occupied the remainder of their properties in Parcel Q and will then have a break from further occupations until the final five properties on Parcel Q are ready and the first properties in Parcel R are complete. This is expected in December and spring 2022 respectively. Jarvis are occupying well in the Hamlet. Hodson are coming to the end of their current phase and so far have not laid any further foundations. Occupations will therefore significantly slow over the autumn period. The council completed on the sale of 10 affordable housing units at The Hamlet. Handover is expected late 2021/early 2022.

### **Secondary School**

A planning application should be submitted in September. A members briefing went well with good feedback and a first stage community consultation was well received. It is planned for the school to open in September 2023. The S106 amendments for school access remain under discussion between KCC and Hodsons.

## **Primary School**

The primary school is expected to open its doors to pupils on site after half term in October 2021. The council will work with KCC and Stour Academy Trust around the opening of the school - the first permanent public building to open on site.

## **CMO**

The CMO held a 'Getting to Know You' day on the 7th September in partnership with the Parish Council, reaching out to residents. This is the first of several community engagement/development activities planned over the coming months. The lack of a community facility on site (Community Cabin) is a significant issue for the CMO as demonstrating a local presence is difficult, residents feel isolated from the CMO and there is no facility on site to deliver community activity. The CMO is setting up a small community grants fund to encourage residents to set up new community groups/activities. The CMO are also keen to appoint a resident director before the end of the financial year. The financial position of the CMO remains challenging. The Deficit Grant was expected to be paid in June as we hit 125 occupations. Developers are keen to hand assets (public open space) to the CMO this calendar year. A draft policy is prepared to provide a framework to land and asset adoption. The CMO will begin the procurement process for a local landscape contractor. The Jarvis lake is likely to be the first asset handed over by Christmas.

## **Community Development**

A parent and toddler group has been piloted and an indoor venue secured from September to continue this group. Sadly this cannot take place on site as the community cabin has not been handed over. Funding has been applied for from KCC to deliver health walks. If funding is secured, this will be one of several community projects delivered over the coming months to build strong relationships with the community and build community capacity. See above regarding small community grants fund.

## **Discovery Park Masterplan**

Work to progress with the masterplan is stalled due to site access issues.

## **Southern Water Services - Connection to Bybrook**

Work to deliver elements offsite are underway with completion due early 2022.

### **Natural England**

Mitigation is required for both Court Lodge and Kingsnorth Green in order for the applications to be determined by the council. Any future Reserved Matters at Chilmington Green will also need to consider mitigation. See above re Court Lodge progress.

### **CCG Estates Strategy**

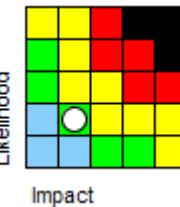
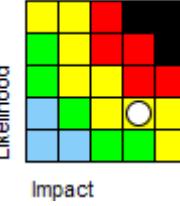
We understand an updated CCG estates strategy has been published. Work is ongoing to find the best solutions to health provision in the Garden Community.

## Financial risks

**Report Type:** Risks Report

**Report Author:** Charlotte Hammersley

**Generated on:** 21 September 2021

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 FINIT 008	Change to accounting standards: requirement to record all losses through income and expenditure.	Potential for temporary losses to be shown affecting the council's investment decisions.	 Likelihood Impact	Regular communication with Arlingclose Lobbying	-	No change to the risk profile. There is a statutory override for the 5 years therefore it will cause an issue in the short/medium term however it is unclear if this will be made permanent or be removed in the future. Will consider impact when borrowing and investing in individual instruments. We will continue to monitor and discuss with auditors.
CR17 FINIT 010	Insufficient reserves to respond to another unforeseen event	Section 114 Notice Inability to deliver services	 Likelihood Impact	MTFP and budget monitoring processes Savings target Commercial income target	-	Cabinet & Management team have worked to generate annual savings and with Government covering a significant proportion of income losses the Council's reserves are sufficient to fund the MTFP and some corporate projects. £4m has been set aside to manage MTFP risks for 2021/22, with £5m to fund the overall MTFP deficit.

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 HPC0 04	Parking income not meeting the Medium Term Financial Plan forecast	Negative impact on Medium Term Financial Plan.	 Likelihood Impact	Income monitoring  Promotional campaigns to increase take up.		<p>The financial impact of this risk has reduced as parking income has started to increase and return to pre-covid levels minus the forecasted 15% reduction.</p> <p>July 2019 income was £230k</p> <p>July 2021 income was £198k</p>
CR17 PRO P002	Inability to make expected return on commercial investment portfolio	Reputational damage of not delivering strategic projects. Financial loss to the council which would impact on the councils Medium Term Financial Plan. Potential loss of income by not achieving the minimum rent at Elwick Place to cover quality maintenance. Inability to let the units at Carlton Road could lead to the need to repurpose or sell the site.	 Likelihood Impact	Monthly monitoring with developer of Elwick Place  Regular review of tenancies at International House with portfolio holder and marketing agent.  Established tenants on mid-term leases at International House.  Monthly review of the market with agent (Carlton Road)  Current demand for similar product to Carlton Road elsewhere		<p>Covid-19 continues to have an impact on the Commercial Property Portfolio. A number of tenants are struggling with their payments of rent and service charges commitments. Close monitoring of these particular tenancies will be carried out will be subject to further scrutiny by the team.</p>

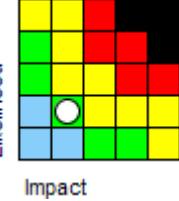
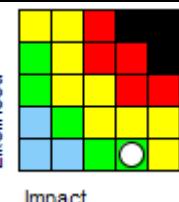
Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 PRO P011	Ongoing maintenance liabilities exceeding available budget.	Standard of maintenance reduced. Only necessary maintenance carried out.	<p>Likelihood</p> <p>Impact</p>	Programme management & PID process		A stock condition survey (external) has been commissioned and will inform maintenance plans. Additional resources have been set aside in the maintenance reserve to manage the council's liabilities.
				Corporate asset management review		
				Expenditure in line with Asset Management Strategy and prioritised.		
				Stock condition survey		
CR20 HOU S13	Reduction in Housing Revenue Account income levels as a result of Covid-19	Housing Revenue Account levels negatively impacted	<p>Likelihood</p> <p>Impact</p>	Increased monitoring of number of cases, arrears levels and number of new Universal Credit claimants  Use of Orchard analytics		In 2020-21 we collected 98.78% of the rent resulting in a decrease in the arrears brought forward from £526,878.41 to £312,078.81. The team have worked hard despite challenging restrictions with regards to notice and court action for rent collection and arrears and continue to stay up to date as changes to processes unfold, via Government notifications. The team is moving from specialist to generic working with all team members having refresher training around rent arrears collection and the team will be at full capacity. There will still be a lead specialist for this area of service who will monitor performance and audit the process so that the overall performance and collection rate remains as expected.

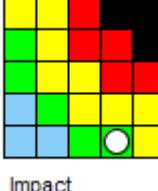
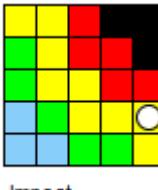
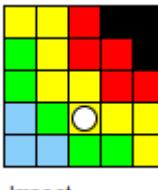
## Compliance risks

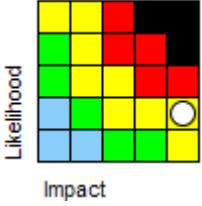
**Report Type:** Risks Report

**Report Author:** Charlotte Hammersley

**Generated on:** 21 September 2021

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 FINIT 001	Loss or theft of portable devices and data stored on them	Potential breach of council or personal data. Reputational damage.	 Likelihood Impact	Remote working and portable devices guidance Portable devices encrypted Data Protection Impact Assessment	-	Smartphone rollout complete, this has helped update / refresh asset register for these devices. And ensure all new devices have a correctly configured MDM (mobile device management) solution installed.  New laptop rollout scheduled for late summer 21, which will give IT a chance to ensure all new devices are correctly configured. And to get all old devices returned and securely wiped.
CR17 FINIT 002	Not achieving codes of compliance: pci and Public Services Network	Potential to stop the council being able to communicate with other public sector organisations.	 Likelihood Impact	Patching, firewall, policy rules	-	No change currently, and IT are currently planning to complete annual PSN Code of Compliance (CoCo) certification process. But this may change depending on CESG / NCSC decision.

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
CR17 FINIT 005	Loss of the Kent Public Services Network (KPSN) and services it provides	Potential to stop the council being able to communicate with other public sector organisations.	 Likelihood Impact	Externally managed	-	New quote requested from KPSN for a new onsite KPSN CPR(router), as existing will become End of Life soon, and to gain higher bandwidth connection.
CR17 LEG0 01	Insufficient resources in the event Election is called at short notice	Mistakes during election Staff morale Customer satisfaction Reputational damage	 Likelihood Impact	Increased staff hours and pay during election period. Well-developed corporate support system	-	No update or change required.
CR17 LEG0 04	Non-compliance with GDPR	ICO fines Enforcement notices Reputational damage Customer dissatisfaction	 Likelihood Impact	GDPR action plan Service briefings Dedicated resource Staff training Information Governance Group Consultant legal support for key policies Information Commissioner Office registration	-	Whilst remote working presents data protection risks, a recent six-monthly update on the council's data protection controls showed that there had been no increase in significant data incidents. Continued improvements have been made to our arrangements including Covid-19 privacy notices, training to CMT on data protection and remote working and the introduction of increased security measures when logging into council systems remotely. Also, increased email security is being tested. This is in addition to ongoing communication regarding data protection to all staff. GDPR has now

Risk Code	Risk Title	Potential consequence	Risk Matrix	Internal Controls	Change	Latest note
						been in place for several years and therefore a review of council policies, in particular the retention policy, will be reviewed over the coming months to reflect UK data protection laws.
CR17 HPC0 13	Non-compliance with Health Safety Act and Regulations	Reputational Financial fines from the Health and Safety Executive Loss of working days Death or serious injury	 Likelihood Impact	Risk assessments	-	<b>See detailed note below:</b> <p>For staff currently working in the office, mitigation measures remain in place following Covid Secure principles. The book-a-desk system was introduced on 2 August 2021. Staff are now able to return to the office for 'hybrid' working. Internal teams worked together to ensure that staff feel comfortable working from the office again, and messages have been posted on Smart Hub to inform staff of the new arrangements. Our new arrangements have been risk assessed, reviewed and are compliant with health and safety law and Covid guidance. Further bookable desks will become available in stages, but the majority of staff will continue to work from home until a full review is undertaken later this year. Council meetings are taking place in the Civic Suite and customers may visit reception.</p> <p>A review of the PPE Cell arrangements continues as PPE is still a useful tool to protect individuals from Covid. The development of an exit strategy is underway following the restrictions being lifted. The Covid office outbreak plan was revised on 21 July 2021 following advice from PHE and is a valuable document for managers to refer to should they need advice in the instance of a single case or outbreak. It is in the process of being reviewed again due to self-isolation rule changes for those double-jabbed against Covid.</p> <p>A review of job descriptions for the appointed Competent Person(s) under the Fire Safety Regulatory Reform Order 2005, was delayed (it was due to be completed end of June 2021), and further training concerning these duties for relevant person(s) is planned for this financial year. A review of the Fire Safety Management policy and supporting documentation is scheduled for completion by the end of September 2021. Some health &amp; safety-related corporate policies and procedures require a scheduled review, but remain valid and current. An active training and refresher programme is maintained. Lone working is under review as the contract for the lone working monitoring systems is due for renewal.</p>

