

Teignbridge District Council
Audit Scrutiny Committee
18th June 2025
Part i

Strategic and Corporate Risk Report

Purpose of Report

To provide Members with an overview of the current status of the Strategic & Corporate risks.

Recommendation(s)

The Committee RESOLVES to:

- (1) Note the actions being taken to reduce risks to the achievement of the council's objectives.

Financial Implications

As this is an advisory report there are no direct financial implications, however, the following strategic financial risks are included: ST02 Failure to control and manage finance and other risks including ST14 Fraud & corruption and ST24 Breach of finance and contract rules.

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Legal Implications

No direct implications beyond effective risk management are key to meeting Council's legal duties.

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Risk Assessment

Effective risk management will aid decision making, focus and make better use of resources, provide a duty of care, comply with legislation, reduce costs, provide a continuity of service and reduce the risk of not meeting the council's objectives.

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Environmental/ Climate Change Implications

There are no direct environmental and climate change implications due to this being an advisory report only, however, the following risks relating to Environment and Climate Change are included for monitoring:

ST31 – the impact of not reducing our energy use and contribution to CO2. ST42 – Failure to deliver the council strategy. ST44 – Flood risk resilience. ST45 – Flood risk management.

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Executive Member

Corporate Resources – Cllr John Parrott

Appendices/Background Papers

Appendix A – Risk report

PURPOSE

To provide Members with an overview of the current status of the Council's corporate and strategic risks.

BACKGROUND

There are 3 types of risk to manage, and these are:

Strategic Risks – these are the big issues that impact heavily on our service delivery or are fundamental changes in the district or something that may cause a lot of bad publicity. These risks are managed by Business Leads and Business or Service Managers.

Corporate Risks – also called 'common risks' because they apply to many sections of the Council, and we have corporate processes in place to deal with them e.g. Attacks on staff. These risks are also managed by Business or Service Managers.

Service Risks - These are risks and opportunities that apply primarily to a service and that generally won't have too many consequences on the rest of the Council. These are managed by Business or Service Managers and Team Leaders.

In addition, reports to decision makers (both Members and the Strategic Leadership Team) for major projects or service changes, should include an analysis of risks so these are considered when important decisions are made. These risks may be referred for inclusion in the Corporate or Strategic Risk Registers if they are likely to be significant issues.

RISK OVERVIEW

There are currently 24 risks in the Strategic Risk register which are the risks we consider could impact heavily on our ability to deliver essential services and meet important objectives. In addition, there are 12 corporate risks, 'common risks', which apply to many sections of the council, and we have corporate processes in place to deal with them.

Of these 36 risks 3 have a very high unmitigated risk score 9 (3x3) i.e. the risk if we took no action to reduce the risk. The risk Responsible Officers have actions (mitigations) in place to reduce the risk scores.

The risk matrix below shows how many risks have very high (9), high (6), medium (3-4) or low (1-2) mitigated risk score, which considers the effectiveness of actions (mitigations) to reduce the risk.

- 0 risks have a high impact and high likelihood score of 9 (3x3)
- 3 risks have a medium impact and high likelihood score of 6 (2x3)
- 6 risks have a high impact and medium likelihood score of 6 (3x2)

Corporate & Strategic Risk Matrix – Mitigated Risks				
Risk Likelihood	3 - High	No Risks	3 Risks ST41, ST40, CP11	No Risks
	2 - Medium	No Risks	CP01, ST02, CP12, CP09, ST17, CP08, ST11, ST19, ST42, ST46, ST25	3 Risks ST29, ST08, ST32
	1 - Low	CP05	ST14, CP13, CP07, ST24, ST31, ST06, ST28, CP14	ST26, CP16, ST37, ST43, CP15, CP17
		1 – Low	2 – Medium	3 - High
Risk - Impact				

Risk reviews

These are carried out by the risk Responsible Officer monthly for very high (9) risks, quarterly for high (6) twice a year for medium risk (3-4) risks and once a

year for low (2) risks. This includes a review of each risk, its mitigations and risk impact and likelihood scores.

In addition to the regular reviews, meetings with the Risk Responsible officer and those managing the risk are held to review the scope of the risk, causes and impact, and mitigations in more depth.

RISK REPORTS

A report listing the Corporate & Strategic risks is provided as Appendix A

Details of those risks with 'Action needed' mitigations statuses or a very high mitigated status of 9, are provided below. The 'Action needed' statuses are colour coded to match the risk matrix above.

Risk: CP01 Attacks on Staff

Description: Failure to comply with Health and Safety Legislation leading to damage of property or equipment, loss, injury, or death of staff or public, risk of corporate manslaughter, prosecution, loss of reputation and high insurance costs.

Last reviewed: 12/05/25

Risk unmitigated status: 6 – high

Current mitigated status: 4 – medium (previous review was 6 – high)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	Implementation of the Health & Safety Policy	All Managers to be responsible for implementing the Health & Safety Policy as detailed in respective health & safety procedures within the policy document
Action needed	Local procedures (Teams or Services)	To be developed and implemented by teams/services as they will have differing ways of implementing control measures they formulate resulting from risk assessment.
Action needed	Lone working procedure	Lone working procedure in place that includes the provision of mobile phones, personal attack alarms and lone worker record updating

Action needed	Staff training	Staff training program in place but will always need maintaining & review A Staff Induction programme in place. Training is included in the PDP process undertaken by line managers and should include training as identified by risk assessment.
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Review note:

TDC H&S Policy identifies that managers are responsible for identifying H&S training needs and ensuring that provision is made, and training is refreshed on a regular basis to as to ensure competency. Training is typically a core mitigation in the risk assessments that managers are responsible for ensuring are in place and valid for the activities undertaken by their staff.

Training uptake is currently poor despite regular provision. This is leading to concerns re competency and the effectiveness of managers risk assessments and the protection/awareness of staff.

TDC Managers responsibility to Risk Assess the activities and locations for their staff is inconsistent in approach as there is no corporate oversight. The creation, adoption and effectiveness of local procedures might be creating omissions and or duplication. This will be improved by a Health and Safety management system when procured.

Risk: ST11 Failure to Comply with Health & Safety Legislation

Description: Failure to comply with Health and Safety Legislation leading to damage of property or equipment, loss, injury or death of staff or public, risk of corporate manslaughter, prosecution, loss of reputation and high insurance costs.

Last reviewed: 12/05/25

Risk unmitigated status: 9 – very high

Current mitigated status: 4 – medium (previous review was 4 – medium)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	Adequate Health and Safety resources available	The Council makes available adequate time, money and resource for measures necessary for health and safety to be carried out.
Action needed	Risk assessments in place	Managers produce risk assessments and have access to advice from H&S Manager. H&S manager audits risk assessments as necessary
Action needed	Safety audits	Periodic H&S audits of teams and services based on hazard and risk carried out through self-assessment programme coordinated by H&S manager.

Review note:

The HR revised corporate induction has been well received. It is unclear yet if this leads the managers of the new starters to identify their H&S related training needs and also to share their relevant risk assessments with the starters.

A H&S Audit by the internal audit team has illustrated gaps in current and historical provision thus incurring risks re noncompliance and concerns re-awareness. There is now emphasis on designing out risk where possible & prudent. This longer-term approach needs to be combined with increased awareness for and on behalf of their staff by their TDC managers through training and accountability.

The requirement to provide suitable H&S Information, Instruction, Training & Supervision is defined in H&S Law. Training is offered in wide variety of formats and subjects, but there are concerns re the uptake of training and the follow through to ensure that learnings are implemented so as to ensure competency. There is a need for improved oversight of the health and safety management across the council and capacity to undertake targeted audits to assess compliance. A Health and Safety Management System, when procured, will help address these issues.

Risk: ST32 Non-Compliance with Section 106 Agreements and CIL notices

Description: Non-Compliance with Section 106 Agreements and CIL notices

Last reviewed: 28/05/25

Risk unmitigated status: 4 – medium

Current mitigated status: 4 – medium (previous review was 4 – medium)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	Legal Follow up of non-payment	Where CIL payments are not made, notice is given that cost recovery action will be taken, and files are handed to legal colleagues to instigate necessary proceedings
Action needed	Meetings with departments	Ongoing meetings with departments regarding spending of money
Action needed	Monitor monies received from time constrained S106 agreements	Spread sheet provided by accountants used to monitor monies received and discuss with departments at meetings

Review note:

S106 - Teignbridge has collected S106, including through new and older planning permissions. Some of these are substantial sums but for very specific projects. Where these projects have not progressed, there is an increasing risk that TDC may be asked to return substantial funds with interest to developers. This also carries reputational risk, meaning the impact is high.

Some speculative companies are using widespread FOI to attain this information and are actively working on behalf of clients to get unspent S106 back.

TDC need to invest in adding all relevant S106 records into the Exacom system which will allow easier tracking. There are over 600 S106 agreements, of which over 200 have complex requirements that need automated tracking. The S106 / CIL officer does not have capacity to do this without automation.

Future CIL investment needs planned spending via a comprehensive review of the Capital Programme. This is underway. Increased engagement with Town and Parish Councils will also look to align infrastructure investments.

In a very small number of cases Legal may be forced to take legal action against landowners where S106 and/or CIL has not been paid. This carries high risk as in some cases the homes have been sold some the landowners are owners of new homes. Preventing this in the future through improved monitoring, Stop notices and earlier legal action during construction is essential.

Risk: ST40: Local Plan – Infrastructure Delivery Delay

Description: Infrastructure delay; risk of not delivering infrastructure as per the Infrastructure Delivery Plan required for the successful delivery of the commitments in the Local Plan.

Last reviewed: 07/03/25

Risk unmitigated status: 6 – high

Current mitigated status: 6 - high (previous review was 6 – high)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	S.106 and Planning Conditions	Section 106 Agreements and Planning Conditions to be used.

Review note:

The IDP contains more infrastructure than TDC can fund including through planning obligations (S106, CIL) and other sources. Staff capacity for delivery is limited. Therefore, must accept need to prioritise.

We are receiving more FOI's concerning unspent S106. These are used by private companies to seek to recoup unspent S106 for developers. It is important that S106 is clearly linked to a plausible project, and that spending timelines allows us 10 years to spend S106, as very often we need to 'save' cumulative S106 and CIL and secure grant to fund larger infrastructure which takes time.

Risk: ST41: Local Plan – Planned Development Delayed or Not Happening

Description: Planned development is delayed or does not happen due to an economic downturn, infrastructure provision delay, unexpected delivery costs, landowners sitting on land and developers having different priorities. This could lead to a loss of New Homes Bonus, shortage of employment growth, an impact on Business rate retention, an out-of-date local plan and under-delivery of the 5-yr supply leading to a possible loss of appeals

Last reviewed: 07/03/25

Risk unmitigated status: 6 – high

Current mitigated status: 6 - high (previous review was 6 – high)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	Achievable Allocations	Ensure allocations are achievable and available in plan preparation.
Action needed	Work with Developers, Landowners, Councillors and other Stakeholders	Work with developers, landowners, councillors and other stakeholders to encourage development.

Review note: Completion rates have been below target for now 4 years in a row, with a cumulative shortfall against (720) target of about 800 homes.

Completion rates remain below expected in 2024/25 based on preliminary data. Once the new Local Plan is adopted delivery will improve (subject to macro economic conditions) by increasing certainty, and through more efficient development management decisions. However, quite a few broader factors (interest rates, development costs) may keep both demand and supply sluggish.

On the positive side, the Local Plan was submitted on 14 March 2024 and examination took place from 17 September 2024 - 21 November 2024. Some weight is therefore added to new Local Plan sites so should increase confidence and therefore delivery from developers to help support five year land supply and delivery. Consultation on Inspectors Main Mods will be in Summer 2025.

It is also important that in any plan update, we look at both sub-regional planning (with Exeter/Torbay/East Devon/Mid Devon/South Hams/Dartmoor), and also seek to maintain our 5 YHLS by allocating many smaller sites (10-200) right across the district including in all towns and villages, as by and large, these get build out much quicker.

Meanwhile we will keep the Housing Delivery Action Plan under review and consider options and actions for unlocking stalled sites, notwithstanding the

fundamental point that the market absorption rate in Teignbridge has always been and will likely always be about 600-700 homes

Risk: ST42: Failure to deliver the Council Strategy

Description: Failure to deliver the key objectives and outcomes of the Council Strategy due to: no money to deliver, no capacity to deliver, a loss of political willingness, change of political direction – local and national, a change of view and priorities by our partners, loss of key staff and local intelligence, unreliable data leading to poor decisions & direction, a lack of engagement of staff, unforeseen issues outside of our control, , too broad a spread of actions, poor leadership, poor planning, governance and monitoring of performance leading to: missed opportunities, moving out of scope of the project, duplication, lost opportunities due to sole focus on the strategy objectives, a loss of reputation, customer satisfaction and trust, unplanned changes, a lack of co-ordination and direction and the risk of over promising and under delivering.

Last reviewed: 29/05/25

Risk unmitigated status: 6 – high

Current mitigated status: 4 - medium (previous review was 4 – medium)

Table of mitigations with actions needed:

Mitigation Status	Mitigation	Info
Action needed	Budget planning	Financial monitoring of each T10 and inclusion in the annual budget planning cycle to set a balanced budget and clear funding for priority areas / projects
Action needed	Ensure adequate staff resources	Adequate staff to be maintained to deliver the key objectives of the strategy
Action needed	Project planning	Project management by the Business Transformation team. Systems & procedures in place to ensure effective forward planning, evidence gathering, monitoring of outcomes etc.

Review note: The new One Teignbridge Council Strategy was adopted in January 2025 and sets out new priority areas for the organisation. There are groups either already established, or in the process of being established to help secure partnership delivery of the One Teignbridge strategy. The Action Plan which is a live document sitting underneath the strategy is currently under review and will hopefully be adopted in October 2025. Ongoing work is required to ensure that there are sufficient resources in place to review future iterations of the Strategy and ensure effective performance and risk monitoring. These are being addressed as part of the Phase 2 restructure.

Major projects/service changes

The current major council projects are listed in the table below, which provides assurance that project risks have been assessed, and registers or strategic risks are in place and being managed.

The One Teignbridge Transformation Board meets monthly to review major systems and the digital platform projects. This includes a review of the project risk registers. The Capital Review Group meets every other month to review projects in the capital programme including key risks and issues.

T10	Project	Service	Responsible Officer	Current Risk Register
VVC	Modern 25 Programme	Business Transformation	Amanda Pujol	Yes
VVC	Modern 25 Strategic Portfolio	Business Transformation	Sarah Knight	Yes
VVC	Financial Management System	Finance	Martin Flitcroft	Yes
CS	Fleet Decarbonization	Waste & Recycling	Chris Braines	Yes
IIP	UK Shared Prosperity Fund	Economy	Alex Lessware	No register, but comprehensive issues log is actively used for programme
AROOH	Local Authority Housing Fund: Refugee Accommodation	Housing	Graham Davey	Yes
IIP	Dawlish link road and bridge	Spatial Planning	Charles Acland	Yes
IIP	Ridgetop Countryside Park	Green Spaces & Active Leisure	Estelle Skinner	Yes

IIP	Future High Street Fund project: Market Improvements	Economy	Tom Phillips	Yes
OAA	Broadmeadow Sports Centre Decarbonisation Phase 2 and Refurbishment	Leisure	James Teed	Yes
IIP	Future High Street Fund project: Gateway to the Town Centre and Queen Street	Economy	Tom Phillips	Yes
IIP	George Street Car Park	Economy	Tom Phillips	Yes

AROOH	Teignbridge 100: Social/Affordable housing - Sherborne House	Housing	Graham Davey	Yes
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ALTERNATIVE OPTIONS

None, risk management is a mandatory function of the Council.

CONCLUSION

Effective risk management will aid decision making, focus and make better use of resources, provide a duty of care, comply with legislation, reduce costs, provide a continuity of service and reduce the risk of not meeting the council's objectives.