

Appendix 5

NOT FOR PUBLICATION by virtue of Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972

No	Risk description, link to corporate objective	Gross Risk		Cause of risk	Mitigation	Current Risk		Residual risk	Further management of risk: Transfer/Accept/Reduce/Avoid	Monitoring Effectiveness				Current Risk		
		I	P			I	P			Q 1	Q 2	Q 3	Q 4	I	P	
1	Ombudsman complaint by local residents	3	4	Failure of the Council to pursue and effect all necessary enforcement action	Mitigating Control: Level of Effectiveness (HML) Report case to East Area Planning Committee for decision whether to support officer delegated decision to take direct action. Ensure transparent approach. Invite owner to address committee (EAPC). Provide final warning prior to direct action.	2	1	2	Action: Action Owner: Mitigating Control: Control Owner:	Outcome required: Milestone Date:	Q 1	Q 2	Q 3	Q 4	I	P
								2	Action: Report to EAPC Action owner: RF Mitigating Control: Address ombudsman investigation issues Control Owner: MN	Outcome required: Cost recovery: Milestone date:						
2	Harm to Council's reputation	3	3	Site owner asserting his case through local/national press and media.	Transparent approach. Invite owner to address committee (EAPC). Provide final warning prior to direct action.	2	2	2	Action: Publicity at time of direct action; ensure Council's case is justified in media. Action owner: RF Mitigating Control: Mitigating Control Owner: NG	Outcome required: Cost recovery: Milestone date:						

3	CMT and/or Committee backing	3	2	CMT/Members unwilling to support direct action	Report to CMT and EAPC for decision. Prior clearance by officers and information EAPC Member Briefing	3	1	3	1	Action: Action owner: RF Mitigating Control Control Owner: MCB	Outcome required: Cost recovery: Milestone date:
4	Budget – Cost of action born by the Council	3	3	Site owner not complying with and Council having to carry out direct action at a cost, which site owner refuses to pay.	Ball park quote obtained, quotes being sought. Costs to be met from existing budgets. Legal advice sought on cost recovery mechanisms.	3	3	3	3	Action: Publicity Action owner: RF Mitigating Control Control Owner: NG	Outcome required: Cost recovery: Milestone date:
5	Delays due to outbuilding being occupied	3	3	If building is occupied it could delay action.	Check if outbuilding is occupied and establish use of outbuilding prior action being taken.	3	2	3	3	Action: Check outbuilding (site visit) Action owner: RF Mitigating Control Control Owner: NG	Outcome required: Cost recovery: Milestone date:
6	Delays due to services still being 'live'	3	3	If services are live it could delay action	Speak to demolition contractors about cutting off utilities and safety	3	2	3	3	Action: Ensure contractors have clear direction of action to take and get advice from utility companies. Action owner: RF	Outcome required: Cost recovery:

										Milestone date:				
7	Obstruction/ violence	5	5	5	5	5	measures. Get advice from utility companies.	Engage security firm and also notify police.	Action by site owner to resist direct action by the Council	5	5	Mitigating Control: Control Owner: NG Action: Ensure contractors are aware of possible dangers and risks of work. Engage security firm and notify police. Action owner: RF Mitigating Control: Control Owner: NG		
8	Delays/Council action stopped by Courts	4	5	4	3	3	Not disclosing date of action. Giving ample opportunity and notice to site owner to comply with the enforcement notice. Setting out proportionality case to Members.	High Court injunction and similar action by site owner	5	3	3	Action: Write to owners to provide them one final opportunity to comply with enforcement notice. Take report to EAPC. Action owner: RF Mitigating Control: Control Owner: NG		
9	Appeal against refusal of Lawful Development Certificate is allowed (which would theoretically	5	2	5	4	4	Writing a robust appeal statement and taking a firm and decisive line in relation to the outbuilding.	Lawful development certificate could make outbuilding partially lawful. However the enforcement notice still takes	5	4	4	Action: Write robust appeal statement. Action owner: RF Mitigating control: Control Owner: NG		

