


**'A' Item**

	<b>REPORT TO CABINET TO BE HELD ON 16 FEBRUARY 2016</b>
	<b>Key Decision</b> YES <b>Forward Plan Ref No</b>
<b>Corporate Priority:</b> <b>Developing safer and stronger communities</b>	<b>Cabinet Portfolio Holder</b> Cllr M. Cockerill

## **REPORT OF THE CHIEF EXECUTIVE - 16/49**

**WARDS AFFECTED: RAMSHILL**

**SUBJECT: SCARBOROUGH SPA COAST PROTECTION SCHEME**

### **RECOMMENDATION (S):**

Cabinet is advised that the cost of the revised phased scheme to maintain the Spa sea wall, and stabilise the cliff is £14,711k, which has received an offer of funding from the Environment Agency of £11,619k, and requires contributions from beneficiaries of £3,092k in order to proceed.

Cabinet is recommended to :

- i) approve the revised and updated Project Appraisal Report (PAR) which has been technically approved by the Environment Agency's Large Project Review Group (LPRG) and agree to adopt the phased approach within the report to deliver the project;
- ii) agree to accept £11,619k of Flood Defence Grant in Aid funding from the Environment Agency;
- iii) agree to accept a contribution of £1,215k from North Yorkshire County Council towards the risk contingency, if required, and seek to re-establish their commitment to fund 50%;
- iv) agree to provide a contribution of £1,877k from the Council towards the risk contingency, if required, to be underwritten from the £3,000k coast protection budget identified in the Council's Draft Revenue and Capital Budget 2016/17;

- v) agree to request contributions from utility company beneficiaries, and any such other major beneficiaries as approved by the project board;
- vi) subject to recommendations (i) to (iv) inclusive which will allow the scheme to proceed, approve entry into a contract and provide delegated authority to the Director of Democratic and Legal Services in consultation with the Portfolio holder for Harbours, Assets, Coast and Flood Protection to agree the terms of an acceptable NEC3 ECC target cost construction contract with Balfour Beatty Civil Engineering Limited (formerly Birse Civils Limited) following satisfactory completion of their ECI contract;
- vii) approve a budget of up to £50k to enable the submission of a Stage 1 bid to the Heritage Lottery Fund by the Council's existing consultant to provide environmental enhancements over and above the like-for-like reinstatement provided by the scheme to the whole of the South Cliff Gardens, to be funded from the £3,000k coast protection budget identified in the Council's Draft Revenue and Capital Budget 2016/17.

## **REASON FOR RECOMMENDATION (S):**

To address the identified problems within the Spa area.

## **HIGHLIGHTED RISKS:**

The key risks are :

- Loss of life, injury to persons, or damage to property due to wave overtopping;
- Loss of life, injury to persons, or damage to infrastructure, assets and property due to landsliding;

A detailed risk register is attached at Appendix A.

## **1. INTRODUCTION**

- 1.1 At its meeting on 12 May 2014, Council considered a report (ref 14/52) which advised that the cost of implementation of the full project of rock armour and cliff stabilisation which addresses the strategic policies, and all technical objectives at the Spa was £24.153m, attracting a maximum grant contribution from the Environment Agency of £11.453m and leaving the residual amount of £12.700m to be funded from third party contributions from beneficiaries, primarily the Council.
- 1.2 Upon the advice of the S151 officer, Council resolved that this was unaffordable, and determined to:
  - i) advise the Environment Agency that the full implementation of the proposals is unaffordable for the Council and resolve to instruct officers to engage with local Members of Parliament and Government departments to consider the future of coast protection works within the Borough with a view to referring the issue to an alternative Risk Management Authority, being either the

Environment Agency or North Yorkshire County Council for their consideration, including an option for phased implementation of works;

- ii) submit the study to the Environment Agency Large Projects Review Group for their Technical Approval;
- iii) note the risks identified to persons and property from over-topping and cliff instability and instruct officers to develop a risk management plan.

1.3 A revised and updated PAR for a phased approach was subsequently prepared. The preferred option will now be delivered in two phases to provide the best balance for economics, visual impact, and adaptability to future variations in climate change allowances, future maintenance and risk. The first phase will comprise of cliff works to stabilise the slopes behind the Spa, capital maintenance of the seawall to remedy significant defects and the implementation of a Risk Management Plan for wave overtopping and landsliding.

1.4 The timing of the second phase is dependent on the rate of climate change and the rate of deterioration of the seawall. With ongoing maintenance of the seawall it is anticipated that a delay of up to 50 years could be achievable before the second phase which could consist of a rock revetment and associated foreshore works, may need to be implemented.

1.5 At its meeting on 14 July 2015, Council considered a report (ref 15/198) which noted North Yorkshire County Council's agreement to underwrite up to £1.2m as financial contingency for the first phase of the Scarborough Spa Coast Protection Works, and approved the appointment of Peter Brett Associates LLP to carry out public engagement with the residents and businesses of South Cliff who may be affected by the risks. At its meeting on 19 January 2016 Cabinet (ref 16/28) approved to progress the public engagement.

1.6 An offer of grant aid of £11,629k has now been received from the Environment Agency against a revised scheme cost of £14,711k, leaving the residual amount of £3,092k to be funded from third party contributions from beneficiaries, primarily the Council. This report seeks to accept the grant and secure contributions required to enable this essential project to progress.

## **2. CORPORATE OBJECTIVES AND THE COMMUNITY PLAN**

2.1 The project will support a number of the Council's Corporate Plan aims:

- Aim 1: Developing a Safer Community
- Aim 2: Building a Prosperous Community
- Aim 3: Creating a Quality Environment

## **3. BACKGROUND AND ISSUES**

3.1 Wave overtopping is a significant risk along this frontage to people, vehicles, the promenade and associated infrastructure. The current wave return features of the

existing seawall are not sufficient to prevent significant and frequent overtopping along this frontage. With mean sea level expected to rise by some 0.85m over the 100 year appraisal period, wave overtopping problems are expected to increase significantly.

- 3.2 There is a long history of coastal erosion and landslides along the Scarborough coastal frontage. The seawall plays a key role in the stability of the cliff behind, supporting the toe of the cliff and preventing its erosion and over steepening, which would inevitably lead to larger scale landslips. Conversely any large scale landslide would threaten the integrity of the seawall, leading to further coastal erosion and cliff recession affecting cliff top properties and adjacent frontages.
- 3.3 The cliff behind the Spa complex is approximately 50-55m high and forms a stepped slope with cliff faces sloping at typically 40 to 42 degrees, with one area up to 48 degrees. The cliff is known to be the site of a pre-existing landslide and there is a long history of shallow and deep seated landslides, including recent shallow slips in 2001 and 2007 and widespread evidence of damage due to landslide movement.
- 3.4 Detailed ground modelling and stability analysis carried out for the PAR have identified that the cliffs behind the Spa currently have a factor of safety (FoS) of around 1.0, which indicates the slopes are close to failure. The FoS relates to both shallow and deep seated failures. The fact that the FoS is around 1.0 indicates that there is no margin of safety and that there is a real risk of cliff failure; evidence documented reveals that pre-failure and progressive movement of the cliff is ongoing and that this is likely to continue and possibly accelerate. It is impossible to predict with any accuracy when the cliffs will fail but the fact that the current analysis shows no margin of stability is a real concern. The situation can only deteriorate without intervention in the form of cliff stabilisation to prevent both deep-seated and shallow landslip.

## **4. CONSULTATION**

- 4.1 Proposals to undertake a coast protection scheme at the Spa have been consulted upon numerous times.
- 4.2 Additional views were sought on the preferred coastal defence option for the Spa during the Options Appraisal process. During this process there has been considerable opposition to the foreshore works from the public and some stakeholders based on visual impact, loss of beach amenity and a lack of acceptance of the need for the rock armour. However the cliff works have been generally accepted and supported.
- 4.3 The Environment Agency's Large Projects Review Group (LPRG) undertake technical reviews of all EA and LA proposals for Flood and Coastal Defence Projects over £10m up to £100m. LPRG have undertaken a rigorous and robust technical review of the proposals. LPRG consists of technical experts in the fields of Structural Engineering, Economics, Environmental Assessments, Geotechnical Engineering, and Procurement and has approved the PAR.

- 4.4 Following detailed design, a full planning application will be submitted which will be the subject of a statutory public consultation.
- 4.5 A dedicated Project Website will be set up to provide information and updates during the course of the project.

## **5.0 ASSESSMENT**

- 5.1 The revised business case recommends a phased approach to provide the best balance of affordability, visual impact, adaptability to future variations in climate change, future maintenance, and risk.
- 5.2 Detailed cliff inspections have been undertaken to confirm the nature of the problems in the vicinity of the Spa. These include geomorphological and physical damage assessments, ground investigations and ground modelling analysis.
- 5.3 A phased approach to the scheme has been adopted to provide a more affordable initial investment which addresses the most significant risk of cliff stability first. The fact this approach is more acceptable to the public and consultees given the sensitive nature of the Spa location is a secondary but important factor.
- 5.4 The preferred option will be delivered in two phases. The initial phase consists of cliff works which are critical to the success of the scheme to reduce the risk of coastal defence assets on the foreshore being overrun by landslides and damaged or destroyed.
- 5.5 The first phase comprises:
- Pile array along the rear of the Spa Complex with near horizontal drainage to address the deep seated failure mechanism;
  - Combination of low level piled retaining walls and re-grading of upper slopes and/or soil nailing to address shallow seated instabilities, coupled with drainage measures;
  - Works to rehabilitate the retaining wall along the crest of the Esplanade which supports the highway
  - Other peripheral works including repairs to cliff structure near the cliff lift;
  - Relaying of cliff access paths and basic landscaping/replanting;
  - Maintenance of the seawall to remedy significant defects including voiding, scour protection, wall re-facing, and coping/wave return replacement.
  - Implementation of a Risk Management Plan.
- 5.6 The Risk Management Plan provides the management actions to address all three of the key risks, cliff instability, wave overtopping and seawall stability, in the interim whilst the coast protection scheme is being developed and implemented. Once the scheme is implemented the risk plan will form an important part of the phased approach; outlining the approach to manage the

risks from wave overtopping. The actions within the draft Risk Management Plan have already begun to be implemented.

- 5.7 The risks associated with wave overtopping will be managed through educating and warning the public, provide safe access routes to the Spa complex, and closing footpaths, roads and associated car parks in extreme events.
- 5.8 The risks associated with cliff instability will be managed through educating and warning the public, regular monitoring of installed equipment, and visual walkover inspections for signs of pre-failure.
- 5.9 The timing of the second phase is dependent on the rate of climate change and the rate of deterioration of the seawall. With ongoing maintenance of the seawall it is anticipated that a delay of up to 50 years could be achievable. The second phase would consist of a rock revetment and associated foreshore works.
- 5.10 The cost of the revised phased approach is :

<b>Cost Component</b>	<b>Cost</b>
SBC Costs	£621k
Project Management & Site Supervision	£828k
Detailed Design/Planning	£523k
Construction Costs	£7,883k
Inflation (2.5% p.a.)	£495k
Risk Contingency	£4,361k
<b>TOTAL SCHEME COST</b>	<b>£14,711k</b>

- 5.11 The proposed funding of the scheme is :

<b>Funding</b>	
EA Grant	£11,619k
SBC underwriting of risk contingency	£1,877k
NYCC underwriting of risk contingency	£1,215k
<b>TOTAL FUNDING</b>	<b>£14,711k</b>

- 5.12 The implementation of the Risk Management Plan does not attract grant aid, and is funded by the Borough Council from its existing revenue budget.
- 5.13 Members will be aware that the South Cliff Gardens are included on the Register of Historic Parks and Gardens. Following the completion of the works, subject to the alterations required to accommodate the stabilisation works, it is anticipated that the gardens will be reinstated on a like-for-like

basis as before. There will be no environmental enhancements as part of the project.

- 5.14 The attraction of the EA grant therefore offers an opportunity for the Council to submit an application to the Heritage Lottery Fund for match funding to carry out environmental improvements to the gardens over and above the basic reinstatement following the works.
- 5.15 The Parks for People programme is for projects related to historic parks and cemeteries in the UK, and applicants can apply for a grant from £100,000 to £5million with the application process being in two rounds.
- 5.16 Members are asked to decide if they wish to approve the expenditure of up to £50,000 to prepare a Stage 1 bid for submission to the Heritage Lottery Fund for grant funding. The work will be undertaken by Haskoning UK Ltd as a variation to their existing contract.

## **6. IMPLICATIONS**

### **(a) Policy**

- 6.1 There are no policy implications as a result of this report. The proposals accord with the Council's Shoreline Management Plan 2, adopted 2007 and the Scarborough Coastal Defence Strategy adopted 2009.

### **(b) Financial**

- 6.2 The Flood Defence Grant in Aid (FDGiA) offered based on the benefits of the scheme has been calculated at £11,619k. With FDGiA of £11,619k and a total scheme cost including contingencies of £14,711k a contribution of £3,092k is required by the EA to allow the scheme to progress.
- 6.3 However, with the total construction cost being £10,350k, it can be seen that the EA grant also provides a contingency of £1,269k. However under the terms and conditions of Grant Memorandum 2016 under which the FDGiA is offered the contingency is not allocated but is managed centrally by the EA. If the Council requires to call down sums from the contingency then a variation application must be submitted to the EA Area Manager.
- 6.4 Previously the Government funded 100% of the cost of the works through direct grant. However, the funding regime for coastal protection measures has been cut back as part of the austerity measures, and fully funded schemes are a thing of the past, with beneficiaries of the works expected to contribute to the costs. When contributions run into the order of multiple millions as in this case, the reality of the situation is that the financial burden will primarily reside with Local Authorities.
- 6.5 As well as being the recipient of the majority of the Council Tax collected from the properties protected by the project, North Yorkshire County Council also own highway infrastructure on the Esplanade and are therefore a beneficiary

of the project. Officers have been in negotiations with NYCC and on 16 June 2015 NYCC published an article on its website stating that members of the Council's Executive agreed to commit £1,215k from the reserves to cover any financial risk associated with the project. No formal offer has subsequently been received in writing by the Council however it is considered that this public statement can be relied upon as confirmation of its contribution to enable the project to progress whilst the Director of Democratic and Legal Services seeks to document the formal commitment.

- 6.6 Negotiations with NYCC had been carried out on the basis of the risk contingency being underwritten 50% : 50%, however the County Council's commitment was declared early before the final PAR was approved and the offer of grant received. In order for the project to progress it is proposed that the Council underwrites the residual remaining risk contingency and seeks to confirm the 50% commitment as part of any formal funding agreement.
- 6.7 This therefore leaves the Council as one of the other beneficiaries being required to confirm a commitment to underwrite the remaining risk contingency of £1,877k. It is important for Members to understand that this is not an actual expenditure at this stage, but simply a commitment to underwrite additional expenditure should the contingency be required.
- 6.8 At its meeting on 19 January 2016, Cabinet considered the Council's draft revenue and capital budget 2016/17 and endorsed it being re-presented to Cabinet and Full Council for approval in February. The budget contains provision for £3,000k to be allocated towards a coast protection budget.
- 6.9 It is recommended that Cabinet recommends to Council, subject to agreement of the budget, to agree to ring-fence £1,877 of this budget to underwrite the Council's risk contingency contribution required to enable the project to progress.
- 6.10 At this stage as the grant exceeds the anticipated contract costs the first call on any expenditure against the contingency would be to the £1,269k of contingency funded as part of the EA's grant. Should this become expended then the Council and NYCC's contributions would be expended in equal proportions.
- 6.11 It should be noted that although the budgets include a large risk contingency any cost overruns exceeding the risk contingency would need to be funded by the beneficiaries of the scheme under the terms of the grant. As the contracting authority this rests firstly with the Council's whose contractual liability for costs is not capped as valid compensation events can increase the target cost. Whilst any requirement for additional contingency expenditure will be reported back to Council, in reality the financial liability will already exist under the contract.
- 6.12 The Environment Agency have verbally advised that they may be willing to consider requests for additional financial assistance should the risk contingency become fully expended due to unforeseen circumstances.



## **S151 Officers Comments**

The Council's Financial Strategy comprises a five-year revenue plan, which is reviewed annually. The Council's revised Strategy for 2016/2026 will be presented to Full Council for approval in February.

As Members are aware following continued reductions in Local Authority funding the Council is required to identify £2.046m in savings for 2016/17, while the Medium Term Financial Plan identifies further savings of £2.4m, £1.6m, and £1.6m over the proceeding 3 years.

In recognising these funding pressures on the revenue budget it is essential that capital resources are not overcommitted, however it is also important that plans are in place to support essential schemes in a timely manner.

In addition to the Council's ambitious investment and regeneration plan for the Borough the 2016 Financial Strategy proposes a capped £3.0m contribution towards coastal protection schemes. It is required therefore that a long term Coast Protection Strategy be developed during 2016/17 recognising this capped £3m contribution.

The cost of these works of £14.7m has received an offer of funding of £11.6m from the Environment Agency therefore requiring a contribution of £3.1m from beneficiaries. While the estimated cost of the works does incorporate contingencies of £4.4m it is reliant on the beneficiaries to underwrite £3.1m of this risk and any additional cost overruns which may occur.

North Yorkshire County Council has agreed to underwrite up to £1.2m of this risk leaving the Council to underwrite all further costs. Should the scheme be completed on budget this will result in a £1.9m funding requirement by SBC. While the levels of contingency built into the scheme expenditure appear sufficient, Members should be aware of the volatile nature of coastal protection works. It should be particularly highlighted that the risks associated with ground conditions are with the Council and not the contractor.

The Council has undertaken significant ground investigation works, however should conditions vary from these findings the Councils will be liable for the additional costs and programme extensions. This clearly represents a significant financial risk for the Council in a period of restricted expenditure and continuing funding reductions.

In order to ensure the Council is making robust financial decisions it is imperative that Members are aware of the risk to the Council of being responsible for funding any overspend over and above the risk contingency included within the project costs.

It has been highlighted that the financial constraints on the Council require a capped £3m contribution towards Coastal Protection as proposed in the 2016 Financial Strategy. It should be recognised by Members that other major

coastal protection works are required across the Borough which will also require funding from the allocated £3m. Clearly the greater risk taken by the Council in underwriting the Spa works will directly impact upon the resources available to progress alternative coastal protection works across the Borough.

**(c) Risk**

6.13 The risks are as set out in Appendix A.

**(d) Legal**

6.14 The proposed scheme is carried out using grant awarded under the Flood and Water Management Act 2010. The Council will carry out the works using its permissive powers under the Coast Protection Act 1949.

**(e) Environmental and Sustainable Development**

6.15 It is not envisaged that any works will in itself adversely impact on the environment.

**(f) Procurement**

6.16 At its meeting on 17 March 2009, Cabinet (ref HTS/09/148) provided authority to enter into contract with a contractor for the ECI phase of the works following an EU compliant procurement process.

6.17 On 30 July 2010 the Cabinet Member for Technical Services, Highways and Transport, Environment, and Coastal and Flood Defences approved the appointment of Birse Civils Limited (ref HTS/10/444) following the completion of the competitively tendered EU procurement process.

6.18 The detailed background to this EU procurement process is provided in the above reports and is not repeated here. The procurement allowed the engagement of Birse Civils Ltd for the ECI phase, with the award of the subsequent Works contract to be conditional upon satisfactory performance during the ECI phase and the costs being affordable.

6.19 In June 2006, Birse Civils Limited was bought by Balfour Beatty and Birse was integrated into Balfour Beatty's company structure but continued to function independently under the Balfour Beatty flag. In 2014 Balfour Beatty started phasing out the Birse brand as part of a move to streamline the business under the Balfour Beatty brand and the firm now operates solely as Balfour Beatty Construction Services UK.

6.20 Balfour Beatty's ECI contract is 50% completed up to the submission of the PAR, and the next phase is to prepare the detailed design and submit this for planning permission, procure the sub-contract packages and agree a target cost with the Council.

- 6.21 If the Council is unable to agree a target cost which is acceptable then it retains the option to terminate Balfour Beatty's contract and competitively tender their design via an EU procurement exercise.
- 6.22 The contractual arrangements for the project have been established from the outset on an NEC3 ECC option C target cost contract in line with the Government's construction strategy. The target cost pricing mechanism allows the employer and the contractor to share risk and opportunity. The employer retains the cost and time risk linked to contractual changes, however the financial effects of cost overruns are shared. Target contracts encourage delivery of a project on time and to budget, allowing a greater emphasis on Contractor's cost than other arrangements. In this instance the Council's financial liability for deviation from the target cost is capped at 120%.
- 6.23 The contract is on a design and build basis, with compensation events for weather delays being deleted. However it is important to note that the risk associated with ground conditions remains with the Council, and should these vary from the findings of the ground investigations then this would constitute a compensation event for which the contractor would be able to claim additional costs and programme extensions.

**(g) Planning**

- 6.24 There are no direct Planning implications as a result of the report. The project requires planning permission and a number of other consents and will be subject to the statutory process. The Council's role as Local Planning Authority is not prejudiced by this decision.

**(h) Health and Safety**

- 6.25 There are no direct health and safety implications as a result of this report. All of the health and safety implications in construction will be managed by the contractor who will fulfil the roles of Principal Contractor and Principal Designer for the purposes of the Construction (Design and Management) Regulations 2015.

**(g) Others**

- 6.26 I have considered whether the following implications arise from this report and am satisfied that there is no identified adverse implications that will arise from this decision to proceed with Spa Coast Protection Scheme.

Equalities and Diversity  
Staffing



**Jim Dillon**  
**Chief Executive**

**Author:** Chris Bourne  
Telephone No: 01723 232447  
E-mail address: [chris.bourne@scarborough.gov.uk](mailto:chris.bourne@scarborough.gov.uk)

**Background Papers:**

River Tyne to Flamborough Head Shoreline Management Plan 2 (SMP2), 2007  
Scarborough Coastal Defence Strategy 2009  
Spa Coast Protection Scheme Project Appraisal Report 2015

Appendix A

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	29.1.16	Grant is not accepted and works do not proceed.	Risk to people, property and infrastructure will remain.  Potential for loss of property, injury to persons and loss of life.	In adopting the SMP2 and Scarborough Coastal Strategy the Council has agreed in principle to support the recommended works.	A4	A4		Cabinet and Council recommended to approve project to progress.
2	29.1.16	Seawall Failure	Failure of the seawall would result in loss of support to the cliffs behind and increased erosion and loss of assets.  Risks to person and property.	Implement the actions in the Spa Risk Management Plan.  Proceed with the works.	B4	A4	Chris Bourne	Implementation of Risk Management Plan  Ongoing maintenance
3	29.1.16	Wave overtopping	Wave overtopping exceeds recommended safe rates for pedestrians and is expected to worsen with predicted sea level rise.  Risks to person and property.	Implement the actions in the Spa Risk Management Plan.	D4	B4		Implementation of Risk Management Plan
4	29.1.16	Cliff Instability	Cliff instability has potential to cause substantial damage to the Spa, seawall, and cliff lift. Cliff recession has the potential to affect the South Cliff Gardens and adjacent properties.  Potential for loss of property, injury to persons and loss of life.	Implement the actions in the Spa Risk Management Plan.  Proceed with the works.	D5	B4		Adoption of Risk Management Plan  Approve Coast Protection Scheme

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
5	29.1.16	Ground conditions vary from those identified during the ground investigations	<p>Compensation event due to contractor which increases target cost. Piles may have to be longer or deeper.</p> <p>Additional cost incurred.</p> <p>Extension to contract period.</p>	Significant quantity of ground investigation and modelling undertaken prior to submission of PAR.	B4	B4	Chris Bourne	
6	29.1.16	Budget is exceeded due to compensation events arising	<p>Project costs increase.</p> <p>Environment Agency contingency may become expended.</p> <p>Contingency sums underwritten by beneficiaries may need to be accessed and expended.</p> <p>Due to pressure on Environment Agency funding, it should not be assumed that any changes to the approved spending profile or an increase in costs will secure additional grant aid. Additional costs may therefore need to be met by beneficiaries.</p>	<p>Project Board to monitor project progress.</p> <p>Contractual transfer of design and build risk to contractors.</p> <p>Large risk contingency in place.</p> <p>A significant amount of ground investigation has been undertaken prior to entering into contract to mitigate the risk associated with ground conditions..</p> <p>Negotiate with NYCC and EA over further contributions.</p> <p>EA have indicated they will favourably consider applications for additional funding where cost over-run is due to genuinely unforeseen events.</p>	C4	B3	Nick Edwards	Ensure risks are identified and managed and suitable provision made

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
7	29.1.16	Programme is delayed.	Works continue on site for longer.  Potential for additional costs is reason for delay is a compensation event.	Project Board to monitor project progress.	C4	B3	Chris Bourne	Implement early warning procedure
8	29.1.16	Council attracts legal liabilities and responsibilities as a result of undertaking works.	Council could be subject to legal action from affected property owners.	Satisfactory legal agreements to be in place prior to commencement of works.	B4	A2	Lisa Dixon	Seek legal advice
9	29.1.16	Failure to obtain full support from affected consultees with statutory responsibilities.	Work scope may need amending, potential for works to not proceed.	Full consultation with statutory consultees already carried out.	B4	B2	Chris Bourne	Continue consultation
10	29.1.16	Unknown environmental issues encountered.	Delay caused by the requirement of further investigations/studies.	This is a low risk as the Council has worked in this area before and is familiar with its surroundings. Extensive surveys and ground investigations have been carried out. Natural England will also be involved in the project to provide guidance if necessary	A2	A2	Chris Bourne	Consult with Natural England
11	3.12.14	Negative media coverage.	Causing a poor image of the council to the public	Provide the media with regular press releases explaining the project.	B2	A2	Chris Bourne / Gabrielle Jandzio	Provide press releases
12	3.12.14	Consents not obtained including planning permission	A full Planning Application will be required. During the Planning process and discussions with stakeholder's additional requirements may be placed on the project which could increase	Early engagement of statutory authorities.	D2	B2	Chris Bourne	Application to be made as part of detailed design process.

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
			costs or programme. Application may be refused.					
13	29.1.16	Additional requirements for incorporation or integration of new activities as a result of additional funding input; i.e. Sustrans, HLF bid for gardens, renovation of the Spaw feature, opening up of the Pump Room.	Programme extension and additional design costs.	Ensure ongoing consultation with interested parties continues such that the team is kept informed as to the likely risk impact (if any).	C3	B3	Chris Bourne	
14	29.1.16	Claims for compensation	Legal disputes Possible compensation costs	Consultation will take place following PAR approval.	D3	C3	Lisa Dixon	Controls within works contracts to mitigate impacts on residents.
15	29.1.16	Target cost is exceeded	Additional costs payable to the contractor.  Cost risk is shared 50% : 50% up to +120% of target cost.	Council's liability for additional cost in excess of target is capped at +120%	C2	B2	Chris Bourne	Robust independent audit of target cost prior to entry into contract.



## Glossary of Terms

Risk

An event which may prevent the Council achieving its objectives

Consequences

The outcome if the risk materialised

Mitigation

The processes and procedures that are in place to reduce the risk

Current Risk Score

The likelihood and impact score with the current mitigation measures in place

Corporate Objectives

An assessment of the Corporate Objectives that are affected by the risk identified.

Target Risk Score

The likelihood and impact score that the Council is aiming to achieve

Service Unit Manager

The Service Unit or Officer responsible for managing the risk

Action Plan

The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
			A	B	C	D
		Likelihood				

### Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

### Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster