

**Decision Maker:** PUBLIC PROTECTION AND ENFORCEMENT POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** Tuesday 15<sup>th</sup> November 2022

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** PP&E RISK REGISTER

**Contact Officer:** Lucy West, Head of Performance Management and Business Support  
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**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

- 1.1 This report presents the revised Public Protection and Enforcement Risk Register for detailed scrutiny by the PDS Committee.
  - 1.2 This appended Risk Register also forms part of the Annual Governance Statement evidence-base and has been reviewed by: E&PP DMT, Corporate Risk Management Group; and the Net Risk position, by way of a Heat Map, by the Audit and Risk Committee.
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2. **RECOMMENDATION(S)**

**That the Public Protection and Enforcement PDS Committee reviews and comments on the appended Risk Register. It should be noted that each risk has been highlighted as being relevant to one committee only (and therefore should be discussed at the relevant meeting).**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Risk Register covers services provided by the E&PP Department and some borough-wide risks. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts and service delivery rather than this high-level Risk Register report.
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## Transformation Policy

1. Policy Status: Not Applicable
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.Not Applicable
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## Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: PP&E Portfolios
  4. Total current budget for this head: £2.6m
  5. Source of funding: Existing controllable revenue budget 2022/23
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## Personnel

1. Number of staff (current and additional): 47.3 FTEs
  2. If from existing staff resources, number of staff hours: Not Applicable
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable
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## Procurement

1. Summary of Procurement Implications: Risk management contributes to contract management and good governance.
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## Property

1. Summary of Property Implications: N/A
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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
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## Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1 The Council's aims are set out in [Making Bromley Even Better \(corporate strategy\) | London Borough of Bromley](#) and the Portfolio Plans, and a risk can be defined as anything which could negatively affect the associated outcomes. Some level of risk will be associated with any service provision: the question is how best to manage that risk down to an acceptable level? (this is known as our 'risk appetite')
- 3.2 It follows that the Council should be able to clearly and regularly detail the main departmental risks and related mitigation measures to ensure a) that desired outcomes are achieved and b) to allow for Member scrutiny – the purpose of this report.
- 3.3 Although the appended E&PP Risk Register is comprehensive, departmental risk management activity is certainly not exclusive to this report. For instance:
- major programmes and services (e.g. Tree Management Strategy) will have associated Risk Registers (such registers are reviewed by the relevant Programme / Service Boards);
  - financial risk is addressed in each Portfolio's Budget Monitoring Reports and, more generally, in the Council's Annual Financial Strategy Report;
  - audit risk is captured through the Audit Programme's planned and investigative activity and associated reports and management action requirements;
  - contract risk forms part of the Contracts Database (all contracts are now quantified and ranked according to the risk presented to the Council). The new Environmental Services Contract, therefore, appears both in this Risk Register and the Corporate Contracts Register, due to its size and complexity.
- 3.4 In 2016/17 Zurich Municipal (the Council's insurer) undertook a 'check and challenge' review (involving all management teams) of the Council's general approach and the individual risks. This resulted a new-style of register and a greater consistency of approach across the Council. Zurich attended during 2018/19 to repeat this exercise with all E&PP risk owners.
- 3.5 It was agreed that Risk Registers should be presented to each Departmental Management Team, the relevant PDS committee, and Audit Sub-Committee (now Audit and Risk Committee) twice a year (minimum) to allow activity to be scrutinised in a regular and systematic manner. At the request of the Audit and Risk Committee, the November 2022 meeting will receive the Departmental Net Risk position by way of Heat Maps. Individual risks should naturally be reviewed (by Risk Owners) at a frequency proportionate to the risk presented (see appendix).
- 3.6 In addition to its use for management and reporting purposes, the Risk Register also forms part of E&PP's evidence-base for contributing to the Council's Annual Governance Statement (which, itself, forms part of the Council's end-of-year management procedures).
- 3.7 Risks from all three departments are considered at the (officer) Corporate Risk Management Group (CRMG), which reviewed all the Risk Registers when it last met on 23<sup>rd</sup> September 2022.
- 3.8 At the time of writing, the Council has 127 individual risks (113 departmental plus 14, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 27 risks (~21% of the Council's total). The PP&E Portfolio currently has 20 risks.
- 3.10 The appended PP&E Risk Register is summarised below. Each risk is scored using a combination of the 'likelihood' (definite to remote) and 'impact' (insignificant to catastrophic) to produce a 'gross

rating' (prior to controls) and 'net rating' (post management controls) – see Appendix. Number E&PP risks are currently ragged 'red' following implementation of management control measures.

- 3.11 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (Compliance & Regulation, Finance, Service Delivery, Reputation and Health & Safety) and scored – using a combination of the 'likelihood' and 'impact' both being assessed on a scale of 1-5 – to produce a gross risk score.
- 3.12 Current controls designed to mitigate the risk are also listed and these, in turn, generally result in a (lower) net risk score. Finally, additional actions are listed for the Risk Owner to consider to further reduce the level of risk (commensurate with their risk appetite). Risk Ownership will be regularly reviewed and adjusted in light of any changes to the LBB Corporate Leadership Team structure.
- 3.13 Risk 11 has a Current Risk Rating of 16, which is red. Whilst funding is now confirmed to March 2025 a further review of funding sources from this point in time is underway to consider the inflationary impacts and mitigation should the external funding not continue. The service is staffed from Public Protection on a voluntary basis and the uptake of shifts has not improved. A decision to deal with this via service provision adjustments and proposing a permanent remuneration package is due to go to PP&E PDS in November 2022. Therefore, it continues that there is no guarantee that an officer will be available and sometimes the service is closed.
- 3.14 Risk 18 has a Current Risk Rating of 20, which is red. As the lead member of the coronial district, Croydon Council have proposed a substantial increase in spend to fund additional administrative support. The Director of Environment & Public Protection has challenged the appropriateness of the required spend. Until such time that the requested necessary evidence is presented to support the cost increases, Bromley will continue to pay its contribution to the consortium in accordance with, and within, the constraints of the budget as set out in the memorandum of understanding. Separate payments will be made to cover additional costs (e.g. inquests) as and when they are incurred.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The appended Risk Register covers environmental services, which tend to be universal in nature, rather than being specifically directed towards vulnerable adults and children.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The Council's renewed policy ambition for the borough is set out in [Making Bromley Even Better \(corporate strategy\) | London Borough of Bromley](#) and the various Portfolio Plans. Risk Registers help to deliver these policy aims by identifying issues which could impact on 'ensuring good contract management to ensure value-for-money and quality services' and putting in place mitigation measures to reduce risk and help deliver the policy aims and objectives.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 There are no direct financial implications arising from this report, however the Risk Register does identify areas that could have financial risks.

#### **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no direct personnel implications, but the Risk Register does identify service areas where recruitment and capacity present challenges (e.g. 8: Staff Resourcing and Capability).

## 8. LEGAL IMPLICATIONS

8.1 There are no direct legal implications, but the Risk Register does identify some regulatory and legal issues: e.g. compliance with Health & Safety law and Industrial Action.

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	None

## 9. PROCUREMENT IMPLICATIONS

9.1 Contract and hence procurement risk is mainly captured in the Contracts Database and Contracts Register Report rather than this Risk Register Report.

## 10. PROPERTY IMPLICATIONS

10.1 There are no direct property implications, but the Risk Register does identify service areas where Property present challenges.

## 11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 There are no direct carbon reduction/social value implications, but the Risk Register does identify service areas where carbon reduction and social values are reviewed (e.g. 9: Climate Change).

## 12. CUSTOMER IMPACT

12.1 There are no direct customer impacts, but the Risk Register does identify service areas that could result in customers being impacted.

## 13. WARD COUNCILLOR VIEWS

13.1 There are no direct Ward Councillor views.

<b>Non-Applicable Headings:</b>	None
Background Documents: (Access via Contact Officer)	None