

Update: 20/01/2016

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#	DESCRIPTION	CONSEQUENCES	CURRENT SITUATION	STATUS	MITIGATION ACTIONS		
	<b>HCA Requirements</b>						
1	Failure to meet HCA Start on Site and Practical Completion Deadlines	The HCA may withdraw their funding	The projects are currently on schedule, but the timetables are tight due to delays getting the programme started.	AMBER	A Project Delivery Officer has been appointed and the Steering Group has been set up to govern the overall process in conjunction with the Interim Head of Housing and the Strategic Housing Manager.		
2	Failure to comply with the HCA contract funding conditions	The HCA may withdraw their funding and we would be in breach of our contract	Regular meetings are being held with the HCA and officers are adhering to the funding conditions.	AMBER	The Officers need to be familiar with the funding conditions and any queries reported to the HCA.		
3	Failure to comply with the Investment Management System regulations	Delays to the programme and the HCA could withdraw their funding	Officers will be attending training in February on the HCA's IMS system.	GREEN	A process is being worked on by the Steering Group to ensure the information is checked by several officers and the final grant claims will be submitted by Finance.		
	<b>Finance</b>						
4	Projects cost more than the cost analysis for the sites	Some of the sites would have to drop out of the programme and HCA funding would be withdrawn.	Up to date cost appraisals have been undertaken on every site by a cost consultant but these are generally based on square metre rates. There is scope for costs to increase once sites and designs are investigated further.	AMBER	A 10% contingency has been built into the budget for each site. As much work on the legals, planning, design etc is taking place prior to the procurement of the various teams and contractors to ensure we have an accurate cost of the projects before entering into contracts for the building work. The information provided will reduce the risk of delays and overspend during construction phase.		
5	HCA funding being withdrawn from the programme	Some of the sites would have to drop out of the programme as there would be a gap in funding.	TDC are attending regular monitoring meetings with the HCA and the funding conditions are being complied with.	GREEN	Any delays to start on sites, practical completions in order to trigger the ability to claim the funding will be reported to the HCA as soon as the Steering Group are aware.		
	<b>Planning</b>						
	Missing the planning expiry deadlines for the sites	Re-applying for planning with additional cost and missing funding deadlines.	In order to activate the planning consents, works must start on site with a 'shovel in the ground' so a contractor needs to be appointed.	AMBER	Procurement of the Employers Agents and Design teams need to take place asap. As soon as the teams are in place work can commence to complete designs and procure contractors. Some pre-commencement conditions can be cleared by the design team, others will need contractor input. TDC project Officers will prepare as much of the information as possible in advance and will try to negotiate with Planning to reduce or vary as many pre commencement conditions as possible.		
	Failure to discharge planning conditions within the timescales	Planning expiry deadlines missed.	Some of the pre-commencement conditions will be challenging to meet within the timescales and prevent actual 'shovel in the ground'.	AMBER	Officers are meeting with planning to discuss the potential to vary some of the conditions.		

## Programme Risk Register

Failure to achieve planning consent on Princess Anne Road and King Street/Brights Place sites	These units would have to drop out of the programme and the HCA funding would have to be returned for 20 units.	Princess Anne Road is ready to submit to planning. East Kent Housing have written out to local residents to inform them of the development proposals. The application will be submitted in the next couple of weeks. The King Street application is at an advanced stage with the architect and will be ready to submit in February.	AMBER	Officers in Planning have provided pre-application advice on the sites and the planning applications will reflect the advice given. The applications comply with the Planning Policies relevant to both sites. The architect has historic planning information for the King Street site to avoid planning issues encountered by the previous owner.		
<b>Legal</b>						
Failure to purchase back the garage leaseholds and freeholds on the relevant sites	Those sites would have to drop out of the programme and HCA funding would be withdrawn.	Awaiting written advice back from legal on some of the sites. The sites all need to be valued and the valuer will be negotiating the buybacks in conjunction with TDC Officers.	AMBER	Owners of the garages were written to when planning applications were submitted in 2014. Some owners have been in contact already. Budgets have been built into the scheme costs to allow for the buyback of garages where relevant. CPO could be an option, although negotiation with the owners is preferred. Legal will obtain an indemnity policy to insure		
Claims could be made on the sites to enforce any covenants on the land	Would create delays and additional cost to the project to resolve legal issues.	Legal are undertaking a thorough investigation of each site and the conveyancing history.	AMBER	Legal are seeking advice in order to purchase an indemnity policy for the sites to insure against any claims.		
Neighbours could claim pedestrian, vehicular or parking rights of way on the development sites	Would cause delays to the specific sites, potential additional costs or cause the site to drop out of the programme and HCA funding withdrawn.	The designs have allowed for maintaining existing rights of way.	AMBER	The sites will be hoarded off in the next few months prior to start on site, to allow for any issues to be resolved asap. Where rights of way may be registered, Officers are reviewing the potential to alter the positioning of units.		
Residents fail to clear garages upon termination of Licences.	Would cause delays to the specific sites and potential additional costs.	Discussions are underway with Legal. Timing of service of Notices to vacate to be discussed and agreed within the Steering Group.	AMBER	East Kent Housing to establish the number and location of vacant garages. These are to be offered to residents being asked to vacate for our projects. Notices to be served with sufficient time to establish where there will be problems and to resolve these without delaying start on site.		
Neighbour complaints regarding the sites	Could cause delays and a bad reputation for the project and the Council.	An initial letter will be sent out to neighbouring residents on the sites without planning consent to inform them of the development proposals. Sites are within well established residential areas with construction within close proximity to existing homes and gardens. Our projects will reduce the availability of garages, either during construction or permanently and will affect availability of parking. There will be added pressure from construction and personnel vehicles.	RED	Contractors will need to belong to the 'Considerate Contractor' scheme, be capable of resident liaison, must consider the impact of construction upon the immediate area and must be carefully managed by the EA and TDC to mitigate complaints during the construction process. Steering Group to agree in advance how and by whom complaints should be handled.		
New developments will block or interfere with public rights of way (PROW).	Additional fees and time required to formally divert or close footpaths.	CLOSED. All sites confirmed to be free of PROW.	GREEN	N/A		
<b>Site Conditions</b>						

## Programme Risk Register

Presence of Japanese Knotweed	Cost uplift beyond current estimates due to the need for treatment and disposal. Treatment required for 3 years before Knotweed becomes dormant. Potential impact upon foundation design and on the buildability of the site, depending on severity. Can spread from neighbouring properties.	Not known.	AMBER	Formal survey report to be commissioned to identify risk of knotweed on all sites.		
Presence of contaminants in the ground	Cost uplift beyond current estimates due to ground contaminants which may require removal, remedial work or tanking, particularly where gardens are being provided.	Not known. 131-141 King Street former Petrol Filling Station use presents the highest risk of all our sites.	AMBER	Formal survey report to be commissioned to identify risk of ground contaminants.		
Presence of protected species and general ecological matters	Delays to commencement or construction if any protected species are found.	Not known however conditions on most sites are unlikely to present a problem. Affects small number of sites.	RED	Risk Assessment to be commissioned.		
Presence of Radon gas within the ground	Cost uplift, beyond current estimates, due to the need for radon dispersion measures to be incorporated within buildings.	Preliminary checks online indicate that all sites have 1-3% risk of the presence of radon.	GREEN	Formal survey report to be commissioned to confirm radon levels. Any measures, if required, would be low cost but this is unlikely.		
Presence of underground services and pipework and impact upon streetlighting schemes	Cost uplift, beyond current estimates, to divert services if required. Time will be a key factor if any works are required to be undertaken or signed off by statutory authorities/service providers as they have their own priorities. Streetlights may be affected if we do not decommission existing lights properly or if there are any issues with existing installations/circuits.	King Street/Brights place likely to be affected. Other sites to be reviewed in detail during forthcoming site visits by Officers.	RED	All information to be acquired via officer and formal surveys to inform design teams and bidding contractors in tender documents.		
Proximity of Norman Road site to Network Rail embankment	Potential additional admin and authorisation requirements and fees associated with involvement of Network Rail Asset Protection Team.	Project Delivery Officer in communication with Asset Protection Team.	AMBER	Ongoing dialogue.		
<b>General Matters</b>						
Changes of staffing on the project	Delays to the programme, which could cause deadlines to be missed.	The project team are currently fully staffed.	GREEN	Four Officers will be attending IMS training to ensure there is sufficient cover. All documents for the project are saved in shared folders on the TDC network.		