

Appendix V: Environmental Enforcement Services Risk Register

Category/ Reference number	Risk Description... There is a risk that	Cause	Consequence	Date Identified	Owner	Likelihood /5	Impact /5	Risk Score /25	Current Mitigation	Review Date	Further Planned Action	Residual Likelihood/5	Residual Impact/5	Residual Risk Score/25
Financial Risk														
FR1	The council cannot afford to provide environmental enforcement patrols or to provide creates a significant budget pressure.	The service provider fails to generate enough income to cover costs of supplying services	The council fail to retain/ secure a private sector partner, forcing the patrol functions back in-house	Sep-22	CM	5	3	15	Increase scope of contract to include additional areas of enforcement where FPNs can be issued - two pilots to run October 22 to May 2023	May-23	Proposal to review FPN levels Autumn 2022	2	3	6
FR2	Payment rates fall, affecting financial viability of contract	Contractor fails to secure income from FPNs issued	Payment rates fall/ prosecutions not followed up	Sep-22	DE	2	3	6	Payment rates monitored monthly by Partnership	On going	current high rate of 85% / PI introduced and monitored around no. prosecution files presented on time / presented to acceptable standards	1	3	3
FR3	Contract Management and funding for signage and campaigns creates a budget pressure	Expectation of public/members increase / external funding sources cease	demand on existing resources/budget provision is inadequate	Sep-22	HoS	5	2	10	Use of Caru Cymru budget for comms / Management by Waste Manager (creating pressures elsewhere within service)	Dec-22	To be addressed through internal savings/budget pressure process/ award of SPF funding	1	2	2
Legal Risks														
LR1	Failure to secure successful prosecutions or adequate compensation for non/payment and "walk offs" creates budget pressure in Legal Services	Lack of awareness of magistrates/ quality of evidence	Legal process undermined, encouraging less compliance to FPN payments or court costs incurred	Jun-22	CM/LS	2	3	6	Quality check carried out by DE on all prosecutions files / All prosecution files and evidence checked by DCC Enforcement manager before passing to legal	ongoing	Work with DE to provide more detailed witness statements	1	3	3
LR2	Risk of successful challenge by alternative suppliers as a result of approving Contract Extension/scope	Competitiveness of private sector	Forced to abandon contractual arrangement or compensate a successful challenger	Jun-22	HoS/LS	1	4	4	Variation Procedure correctly followed, outlining justification for the changes. Demonstrable through open pool approach that the DE contract has not been profitable during core contract term.	n/a	Continue to monitor "health" of contractual arrangement during contract period	1	4	3

Political/Reputational Risks														
PR1	Public / political pressure to cease enforcement activity	Sustained negative media sourced through personal accounts/claims from public	Loss of confidence in outsourced arrangement results in termination of contract/ Increase in complaints and representations	Sep-22	CM	3	3	9	Regular contract meetings held to identify and manage representations and complaints. Body Cameras work but patrol officers to negate false claims of ill treatment. DCC carry out careful reviews of evidence upon receipt of official complaints.	On going	Positive news /social media stories; Improved signage planned for promenades/ review of standard operating procedures	2	3	6
Operational Risks														
OR1	Failure to recruit and retain adequate numbers of Patrol Officers	Current Workforce Market/ public aggression deters new recruits	DE unable to field adequate patrols to meet contract specification, leading to contractual default and lack of enforcement presence.	Jun-22	DE	3	3	9	DE are a UK wide company, able to utilise mobile officers in the event of staff sickness or shortages.	on going	DE are reviewing contracts with staff to make their employment offer more attractive. Planned positive news stories and enhanced education work will help gain wider public acceptance; Review of FPNs (proposal to provide lower early payment options for some PSPO offences should curtail aggressive behaviours from those issued with dog exclusion zone/dogs off lead FPNs.	2	3	6

Key

Likelihood Risk Ratings	
Highest Risk/ Very Likely	5
Likely	4
Equally Possible	3
Possible but unlikely	2
Lowest Risk highly unlikely	1

Impact Scores	
Likely to Lead to Contract Termination	5
Significantly alters contract cost or risk profile	4
Impacts are problematic but manageable	3
Lower order impacts	2
Impacts are negligible	1

Risk Scores

Scores between 1-8

Scores between 9-15

Scores between 15-25

CM = Contract Manager

DE = District Enforcement (Service Provider)

LS = DCC Legal Services

HoS = Head of HFES