

### Appendix C: Above Tolerance Project Risks

Project	Ref	Risk Description (vulnerability)	Current Controls	Further Mitigation Plans
Accelerated Housing Delivery Impact – 4 Likelihood – 4	AHDP5	River Wye Pollutants (Nutrient Neutrality)	Working with developers to explore options for mitigation on site. Developers at Waterswallows are discussing options with the Council and Severn Trent Water to develop a water treatment plant at a Council owned site at Dew Pond Lane. Currently subject to some initial testing to determine suitability. Planning policy commissioned mitigation strategy.	Work with Natural England to understand the impacts of Nutrient Neutrality. Consultants commissioned to prepare action plan and mitigation work discussions ongoing with adjoining landowners. United Utilities investigating Dew Pond Lane as possible site for water treatment works. License granted for site investigations reference a water treatment works on the basis best value would need to be achieved i.e. land swap / disposal.
Impact – 4 Likelihood – 3	AHDP6	Residential development delayed or not delivered	All options secured on Hogshaw and copies of these with Homes England. Signed options on Waterswallows options submitted to Homes England.	Project Board established with external council, support provided by Fisher German to assist with land assembly, valuations and Nutrient Neutrality issues.
Impact – 5 Likelihood – 2	PLA 3.1(1)	Delay in signing the Deed of Variation and discharging GFA conditions (Roundabout construction)	Legal meetings between Council and Homes England to resolve issues.	The Deed of Variation is with the head of legal to resolve. The scoring on this risk has been increased to reflect the urgency that this issue is resolved as soon as possible. June 2024- the DoV has now been signed and the risk will be removed for the Q1 review.
Glossop Halls Impact-4 Likelihood-3	4	Procurement of a collaborative strategic commercial partner	Advise was sought from Quarterbridge re the initial designs to make them attractive to a commercial partner and also an outline of the possible operating models. Support and input into the process is being sought from Focus. Involvement with the local community through the Creative Trust. This is monitored in the monthly Project Board meetings.	Procurement has been monitored by the Project Board with the support of Focus Consultants. Tenders from prospective Operators were received on 11th January 2023 and presentations given to the Assessment Panel. Investigating the potential to 'add into' Parkinson's contract additional fit-out works while the operator's appointment is being finalised.
Impact-5 Likelihood-3	8	Recovery of VAT charged against the Capital elements of the development works.	Prepared Forecast Project Cashflow to indicate expenditure a cross financial years which is updated on a regular basis. Seek specialist VAT advise to confirm status.	HPBC opting to apply VAT to income streams from the facilities. Focus on providing regular Forecast Project Cashflows.
Impact-4 Likelihood-5	14	Construction Programme	Parkinson have updated/ reissued the construction programme that still shows completing by the original contract date, but it is expected that will be delays to the completion date.	Second Stage Tender includes costs associated with the extended Construction period which has been incorporated into the additional funding secured. Working with Parkinson to review the impact of the changes to the scope of works as a result of discharging the Planning Conditions together with contract variations on the programme.

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Impact- 4 Likelihood- 4	15	Planning/ Listed Building Consent Conditions	During determination stage provide additional information to reduce the number of conditions.	Information prepared/ issued to Planning Officer/ Heritage Consultant to discharge the majority of the conditions and Parkinson have commenced site works. Held meeting with Planning Officers/ Heritage Consultant to progress the formal discharge of conditions.
Impact-4 Likelihood-4	16	Operator proposing changes to Parkinson contracted works.	During design development stage, retail advise secured on the design proposal.	Following appointment, review proposed changes and advise on time and cost impact together with a review of benefit to the proposed scheme prior to securing HPBC approval whether to proceed.
Impact- 3 Likelihood- 4	17	Non-performance of Professional Team	Regular meetings to review issue of construction information; Parkinson establishing an Information Request procedure.	Meeting held with AHR to discuss poor performance of Clancy (Structural Engineers) in responding to technical queries/ issuing revised construction information. Parkinson continue to implement a Request for Information procedure to manage responses to technical queries which are reviewed on a regular basis with the wider Project Team.
Local Plan Impact – 4 Likelihood -4	3	Nutrient neutrality undermines the delivery of the Local Plan	Working with partners to secure Government funding to develop a mitigation strategy. Membership of a network of impacted LPAs across England to share best practice. Planned training for officers / members. Briefing for developers.	Consultants, Royal Haskoning, were appointed in 2023, to prepare a nutrient budget calculator and mitigation solutions report to consider how the exceedances of phosphorus in the Peak District Dales Special Area of Conservation could be addressed. Officers have reviewed the draft budget calculator and solutions report and are we are awaiting endorsement from Natural England before these are published and implemented.
Dev Cont. SPD Impact – 2 Likelihood - 5	PLA8	National planning reforms abolish S106 agreements.	S106 agreements will be abolished. The timescales for this are to be confirmed. In any event, it is likely that there would be transitional arrangements in place to allow LPAs time to move over to the new system. The SPDs will provide guidance during this period.	Close scrutiny of Government announcements and the planning press to identify scope of reforms. Update June 2024- risk can be closed for the Q1 review.