

Annex 3 - Risk Register for Local Plan - Planning Policy January 2026

| Number | Risk Title & Description | Effect of non compliance | Classification | Risk Owner from Management Team | Date identified | Last date of review | Unmitigated risk Score | | | Movement to previous review | Current mitigation in place | Mitigated risk Score | | | Movement to previous review | Actions required to reduce score further | Link to Annual Service Development Plan | Links to Strategies |
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| | | | | | | | Likelihood Score (1-5) | Impact score (1-5) | Overall risk score | | | Likelihood Score (1-5) | Impact score (1-5) | Overall risk score | | | | |
| 1 | Risk of Government intervention if a plan is not progressed | Loss of control over planning decisions; increased vulnerability to 'planning by appeal'; increase in funding required to defend appeals or to progress additional work associated with intervention measures; loss of strategic approach to infrastructure provision; reputational damage and reduced public confidence; difficulty influencing the spatial strategy and site allocations; diminished role in plan-making for elected members and communities. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 5 | 5 | 25 | | Maintain and keep up to date the Local Development Scheme; progress evidence in a timely manner; ongoing engagement with members and communities; Develop a robust Infrastructure Delivery Plan; collaboration with the Planning Inspectorate with advisory visit; maintaining a clear audit trail in decision making; continued work with the Planning Advisory Service; obtaining legal advice as required. | 2 | 5 | 10 | | Strengthen Member training in key areas; strengthen collaboration with MHCLG; ensure political consistency and corporate ownership of the Local Plan. | 5.1 and 10.1 | Corporate Strategy |
| 2 | Not meeting the Government's submission deadline of 31 st December 2026 under the transitional arrangements. | Forced switch to plan-making under a new planning system; requirement to either set aside previous Local Plan work or substantially re-work; any emerging Local Plan would carry no weight increasing exposure to speculative developments; increased risk of Government intervention; longer delay to having an adopted Local Plan; increased costs where work will require updating; reputational damage and reduced public confidence. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | 01/01/26 | 4 | 5 | 20 | | Maintain momentum on plan-making; meet critical path deadlines and all other deadlines as far as possible; address meeting development needs early in the plan-making process; communicate the work programme with communities, Members and stakeholders. | 3 | 5 | 15 | | Enhance governance and Member training to avoid politically driven delays; prepare a Contingency Plan for plan-making under a new planning system, in case the deadline cannot be met. | 5.1 and 10.1 | Corporate Strategy |
| 3 | National policy reform | Forced to re-write or re-scope the emerging Local Plan to future proof the Plan; reduced weight for Local Policies once the Local Plan is adopted; a need to re-work some of the evidence base to future proof the plan where possible; delay to Local Plan timetable; Risk of delay to the Local Plan timetable; increased pressure on staff resources; budget implications if updated evidence or additional resources are required. | F | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 5 | 4 | 20 | | Early alignment with emerging national policy; strengthen the evidence base to future proof the Local Plan; adapt the spatial strategy to demonstrate consistency; expand policies to account for changes in climate change approach and environmental matters; set housing requirements above minimum requirement; engage with PAS and the Planning Inspectorate. | 5 | 3 | 15 | | Undertake or procure a NPPF/NDMP compliance review. | 5.1 and 10.1 | Corporate Strategy |
| 4 | Change in political administration | Delay or revisiting key aspects of the local plan; heightened Member objection and political challenges; need to re-open or update evidence; shift in policy objectives; failure to meet 'transitional arrangements' as proposed by Government; failure to achieve an adopted plan under the current planning system and potential for Government intervention in plan-making. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 3 | 5 | 15 | | Progress the Local Plan in line with the Engagement Strategy setting out how both internal and external engagement will be progressed; Continued working and discussions with members to gain understanding and awareness of the local plan, the process, the outputs of evidence and the direction of the spatial strategy and local plan policies; Regular member meetings and briefings; maintain an evidence based led approach; Communicate the consequences of not progressing a Local Plan; maintain consistent staffing to assist with member communications. | 3 | 5 | 15 | | Strengthen cross-party ownership of the Local Plan; provide Member induction training; prepare scenario plans for political change; engage early with new administration; Work with Members to lock in political ownership early in the Regulation 19 stage making clear any risks; document decision-making; use external peers to reinforce stability; engage external technical peer review including legal or Planning Advisory Service to assist with key matters raised; external legal and other technical advice to be communicated to members. | 5.1 and 10.1 | Corporate Strategy |

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| 5 | Community opposition leading to Member objections to the Local Plan | Local Plan delay; missing the Government's transitional deadlines; Government intervention in plan-making; Compromised spatial strategy and weakened policy position in emerging Local Plan; greater exposure to speculative development; increased costs, resource pressure and evidence needs; increased complaints, FOIs; reduced confidence from infrastructure providers and developers; increased risk of legal challenge; weakened case for infrastructure funding and reprioritising investment away from the Borough. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 3 | 5 | 15 | Early and transparent engagement with the community; engage in accordance with the Engagement strategy; strengthen member communication and governance via briefings; present a strong evidence- led narrative; demonstrate how the Local Plan responds to Local concerns; engage infrastructure providers early; clear and consistent political leadership; manage expectations around what can and cannot be changed or done; provide structured feedback to communities; pre-empt legal risks and maintain a clear audit trail of decisions and Local Plan activities; ensure statutory processes are met; Engage external support such as PAS, legal advice and the Planning Inspectorate; reinforce the consequences of not progressing a Local Plan. | 3 | 5 | 15 | N/A | 5.1 and 10.1 | Corporate Strategy |
| 6 | Not achieving political consensus on the Local Plan Spatial Strategy | Significant delays to plan progression due to a potential need to revisit spatial options including spatial option testing, protracted engagement with members causing staff capacity constraints; Not meeting the Government's Local Plan submission timeframe; Potential Government intervention in plan-making; Not achieving Regulation 19 consultation or submission due to Committee decision not to proceed; Weakened position and / or risk of unsoundness at Examination, if spatial strategy decisions are unclear; Reduced confidence from stakeholders and Infrastructure providers; Withdrawal of Local Plan during Examination. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 4 | 5 | 20 | Hold member briefings to explain evidence requirements and assumptions; engage external support such as PAS, legal advice and the Planning Inspectorate; reinforce the consequences of not progressing a Local Plan. | 4 | 5 | 20 | Strengthen member and stakeholder alignment as early as possible. | 5.1 and 10.1 | Corporate Strategy |
| 7 | Overall increase in costs required to progress a local plan and additional / sufficient budget not being available and / or agreed | Delay to the Local Plan work programme; inability to meet the Government's submission timeframe; inability to commission the evidence required; Local Plan soundness risk and greater risk of legal challenge; reduction in scope / the quality of the Local Plan; abandonment of the Local Plan; inability to provide the level of staff resource to deliver the Local Plan within the timeframe; inability to respond to evidence update requirements to account for Regulation 18 consultation responses or national policy changes. | F, R | Director of Planning, Housing and Environmental Health | 03/11/24 | Jan-26 | 4 | 5 | 20 | Establish a robust and early budget strategy for the Local Plan programme to adoption including individual project contingency; ensure that evidence base requirements are proportionate; strong project and financial management; ensure ongoing monitoring of the budget and individual projects including value for money; early and on-going engagement with Management Team and finance. | 3 | 5 | 15 | Keep the budget position under regular review; Ensure flexibility within the budget to make best and most efficient use of funding across the work streams; identify the cost of not progressing a Local Plan; create a business case linked to statutory obligations for plan-making. | 5.1 and 10.1 | Corporate Strategy |
| 8 | Member requests for additional evidence not procedurally required to support the submission of a Local Plan or requests for additional peer review using different consultants | Requirement for additional funding; Potential delay to the Local Plan programme to procure and undertake the work; Increased pressure on consultants to progress work in a short period of time; increased pressure on staff to progress additional work streams; Potential to delay evidence gathering due to procurement or additional interdependencies of evidence or delay to the Local Plan due to reconciling evidence; increased examination scrutiny where disagreements or differences remain unresolved; increased risk of Local Plan challenge; derailment of the Local Plan should it not be possible to fund or obtain the requested evidence; possible Government intervention. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 4 | 4 | 16 | Critical friend review - Inspector Pre-submission advisory visit / PAS / Legal advice. Local Plan programme discipline to reduce political disruption to the programme; provide briefings to Members around outputs of programmed evidence base. | 3 | 4 | 12 | Introduce a Governance structure that defines who and what stage requests for new evidence can be made and how these are evaluated and approved; adopt a 'test for necessity and proportionality' before agreeing to extra evidence; provide member training on evidence requirements and soundness tests; agree scope of evidence with Members as early as possible. | 5.1 and 10.1 | Corporate Strategy |

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| 9 | Slippage in the Local Plan Project management timetable, (as set out in the Council approved Local Development Scheme) for the Regulation 19 Local Plan consultation. | Failure to meet the Government's Local Plan submission deadline of 31 st December 2026 under the current planning system, leading to much abortive work and costs and a requirement to progress a Local Plan under a new planning system. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 4 | 5 | 20 | The provision of a detailed project plan setting out tasks and the timetable clearly; provision of sufficient and timely staff resources to deliver the project plan; ensure a budget to fund the resources required to deliver a Local Plan; Regular project management meetings between the PPM and HOS and the PPM and PPTL and Planning Policy Team; Ensure that staff have the right skills and experience to progress the workstreams; procure evidence base work at the earliest opportunity to ensure its availability to feed into the Regulation 19 Local Plan; manage political risks and highlight the consequences of additional work requests and the consequences this has on staff resources and potential delay and associated risks. | 3 | 5 | 15 | Given the tight timetable, ensure that the Planning Policy team are provided the space to progress the Local Plan work programme and are not distracted by non-Local Plan workstreams or additional work that is not directly required to progress the Local Plan. | 5.1 and 10.1 | Corporate Strategy |
| 10 | Delay to testing the spatial strategy Infrastructure, viability and development phasing | Delay to the overall Local Plan timetable; Not achieving the Government's timescale for submission; knock on impact to progressing other statutory required evidence such as the Sustainability Appraisal and Habitats Regulations Assessment; risk of not applying an evidence base-led approach to defining the spatial strategy with an increased examination risk of being found unsound; risk of viability and deliverability disputes later in the process and at Examination; risk of selecting undeliverable sites; housing trajectory and five-year supply becomes unreliable; vulnerability to requiring further work and additional sites during the Examination to make the Plan sound; Member decision not to Adopt the Local Plan; Local Plan abortive work and costs; risk of speculative development early in the plan period. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 4 | 5 | 20 | Commission infrastructure and viability evidence early and in parallel with Reg 19 option development; use iterative testing with scenarios; update the SA sequentially rather than at a late stage; early and structured engagement with infrastructure providers. | 3 | 5 | 15 | Identify where it is possible to progress testing sequentially if there is a likelihood of delay; agree key assumptions with infrastructure providers; ensure SA / HRA is integrated into the process and not bolted on. | 5.1 and 10.1 | Corporate Strategy |
| 11 | Failure to meet Statutory requirements in plan-making (Sustainability Appraisal, Habitats Regulations and Equality Impact Assessment) including insufficient data and evidence gaps | Legal challenge on adoption of the Local Plan; delay to plan-making and not meeting the Government's timeline; poor integration between assessments and the Local Plan; Delay in Examination. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 4 | 5 | 20 | Begin work on the Statutory evidence requirements early; Ensure strong and up-to-date baseline evidence; use clear methodologies and document reasonable alternatives clearly; embed the processes into Plan-making; maintain continuous engagement with statutory consultees and key stakeholders; ensure a clear audit trail and high quality documentation; ensure timescales are aligned in the Local Plan work programme; ensure adequate staff resource for project management. | 3 | 5 | 15 | Work with the Planning Advisory Service on how to navigate any issues; obtaining legal advice as required and advice from the Planning Inspectorate as required. | 5.1 and 10.1 | Corporate Strategy |
| 12 | Failure to obtain the required evidence on the required topic area to inform the Regulation 19 Local Plan. | Plan found unsound at Examination; legal challenge on adoption of the Plan; inability to publish a legally compliant Regulation 19 Plan; delays to Local Plan timetable; not meeting the Government's timeframe for submission; Members not agreeing to take forward the Local Plan to Regulation 19; Weak policy framework that is vulnerable to challenge; increased risk of unresolved objections at Regulation 19 and at examination; stakeholder objections and criticisms. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 4 | 5 | 20 | Identify all required evidence workstreams as early as possible; Frontload commissioning and gathering the additional evidence to support the Regulation 19 Local Plan; identify evidence dependencies in the work programme and the critical path; schedule early meetings with stakeholders and line up their required input at relevant key stages; draft clear specifications for work; avoid over scoping of the work and ensure proportionality; consider emerging national policy changes early to avoid repetitive work. | 3 | 5 | 15 | Continue to use PAS as a critical friend on evidence gathering and use advice once received particularly around proportionality. | 5.1 and 10.1 | Corporate Strategy |

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| 13 | Restricted availability of consultants and / or capacity for consultants to complete the evidence base work required within the project timeline. | Delay to evidence base completion; Local Plan timetable slippage; not being able to procure good quality consultants; increased risk to soundness at examination due to poor or incomplete evidence; inability to progress to Regulation 19; heightened legal compliance risk; higher contract prices; greater officer time required to procure and manage contracts. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 3 | 5 | 15 | Consider and strengthen procurement strategy; procure at the earliest time possible; commission partial or interim outputs / phasing of the work; ensure that the scope of works is proportionate; maintain continual engagement with consultants. | 2 | 5 | 10 | Adjust the project plan and where possible build in contingency; provide internal capacity to progress workstreams through additional staff resources. | 5.1 and 10.1 | Corporate Strategy |
| 14 | Procurement / contract delay | Delay to the progression, publication and analysis of the evidence base; inability for policies to be underpinned by evidence; slippage in the Local Plan timetable including key milestones; increased risk of challenge at examination; procedural risk if evidence base not available for committee decision to progress the Regulation 19 consultation and submission; delays to progressing statements of common ground; increased pressure on resources and capacity; uncertainty in decision making. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 5 | 5 | 25 | Undertake a peer review by PAS on evidence base; identify early the procurement and contract needs; extend existing contracts where necessary; maintain a clear audit trail of where delays occur and address these for future contracts; re-sequence the Local Plan project programme to ensure critical path activities can be progressed; where feasible run assessments and Local Plan work streams in parallel; prioritise and provide work streams in key phases and request interim reports / partial outputs; use Framework contracts to accelerate commission times; provide clear scopes of work; build in contingency; early engagement with statutory bodies sharing work in draft. | 3 | 5 | 15 | Identify an additional resource to ensure that contracts can progress. | 5.1 and 10.1 | Corporate Strategy |
| 15 | Not meeting the minimum housing need requirement in the Local Plan or demonstrating sufficient land in the first five years. | Local Plan risk of failure at examination on the basis of the soundness tests; a requirement for the plan to be paused for additional evidence and / or major modifications to make the plan sound; Substantial re-working of the Local Plan; prolonged examination and therefore a later adoption of the Plan; greater scrutiny at examination; loss of weight of policies during the examination period; increased risk of speculative development; risk of legal challenge post-adoption; complete loss of work if Plan withdrawn or found unsound. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 3 | 5 | 15 | Frontload work on housing and employment evidence including the LAA and test supply assumptions; build a realistic and defensible housing trajectory; allocate a wider mix of sites; include a windfall allowance with sufficient justification; engage infrastructure providers to confirm that sites are genuinely deliverable; use Statements of Common Ground. | 2 | 5 | 10 | If it is not possible to meet housing need, seek to identify reserve sites; develop a clear strategy for addressing under-delivery. | 5.1 and 10.1 | Corporate Strategy |
| 16 | Duty To Cooperate (DTC) | DTC issues raised prior to Reg 19 or Local Plan submission; including matters such as unmet development needs and cumulative infrastructure issues; Not meeting the Local Plan timetable; Failure to demonstrate DTC at examination; not meeting the Government deadline for submission. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 3 | 5 | 15 | Early, regular and documented engagement and cooperation with partners; the production of effective Statements of Common Ground; commissioning joint evidence bases or sharing methodologies on strategic matters; establish political commitment where required and audit trails. | 2 | 5 | 10 | In the work undertaken ensure that engagement with DTC partners leads to effective, deliverable and strategic outcomes and engage external legal and / or technical advice from Barristers / PAS. | 5.1 and 10.1 | Corporate Strategy |
| 17 | Regulation 18 consultation responses identify a fundamental matter relating to evidence or strategy that cannot be addressed within the timescales to achieve Regulation 19 | Delay to the Local Plan timetable due to a need to revisit evidence, revise the spatial strategy or re-consult if changes required are substantial; that the Local Plan cannot progress to Regulation 19 within the timeframe or at all; increased risk of the plan being found unsound if critical warning is not addressed; requirement for additional consultation at Regulation 18; reputational issues with communities, Members and stakeholders. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 3 | 5 | 15 | Frontload the evidence base work; adjust the project plan if possible; revisit and adapt the strategy; strengthen engagement and Duty to Cooperate; avoid premature progression to Regulation 19. | 2 | 5 | 10 | Commission an independent review of the Local Plan and matter raised. | 5.1 and 10.1 | Corporate Strategy |

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| 18 | Loss of staff either through leaving the Council, sickness or unexpected absences | Delay to timetable, health and wellbeing implications for remaining staff members, failure to meet the Local Plan timetable and Government deadline for Local Plan submission. | F, R, H | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 3 | 3 | 9 | Regular team meetings, 1:1s, effective file management and knowledge sharing, risk management escalation; utilising contractor staff. Smart recruitment policy and investigation of specialist support. Work with recruitment agencies to fill permanent positions and to cover staff absence. | 3 | 2 | 6 | Predict early where more staff resource may be required; Keep under review the staffing budget; keep up-to-date with the recruitment market offerings and make any offers early. | 5.1 and 10.1 | Corporate Strategy |
| 19 | No / limited internal expertise on matters relating to heritage | Delays to evidence gathering and site assessments including through requiring procurement lead in times; risk of incomplete or insufficient evidence at submission and / or at Examination; Increased risk of challenge at Examination on heritage matters; Local Plan found unsound at Examination; Bottleneck in site allocations workstream; dependency on external consultants increasing budget costs and requiring a staff resource to manage workstream; Not meeting Local Plan timetable. | F, R | Director of Planning, Housing and Environmental Health | 01/09/24 | Jan-26 | 5 | 5 | 25 | Commission heritage specialists as early as possible; share services with Sevenoaks Borough Council where possible; develop clear scopes for external Heritage work; undertake early engagement with Historic England; integrate heritage work into site selection as early as practically possible. | 2 | 3 | 6 | Engage external legal and / or technical advice from Barristers / PAS. | 5.1 and 10.1 | Corporate Strategy |
| 20 | Capacity constraints within the Planning Policy Team and / or skills and experience shortage | Delays / slippage and slower progress for work streams; Missed project milestones; Not meeting the Local Plan timetable overall due to work stream interdependencies; Not meeting the Governments submission timeframe; dependency on external consultants and / or existing / temporary staff to plug skills gaps; weak or incomplete evidence base with gaps in technical and key evidence; risk of an unsound plan at examination; legal compliance risks for SA, HRA, Equalities Impact Assessment, statutory Regulation 19 consultation; reduced ability to engage and negotiate with key stakeholders; staff burnout and turnover. | F, R, H | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 5 | 5 | 25 | Strengthen internal capacity by recruiting permanent planners; upskill staff; ensure that the work programme is detailed with clear responsibilities identified; hold regular 1:1s and team meetings; use external support either in relation to recruiting temporary planners or consultants to progress key workstreams; regular monitoring of workloads and priority setting; strengthen corporate and cross-departmental support; manage staff wellbeing and retention. | 3 | 3 | 9 | Secure additional financial funding; Plan for the worst-case scenario through contingency planning. | 5.1 and 10.1 | Corporate Strategy |
| 21 | Not meeting the Committee date to report the Regulation 18 consultation due to the level of responses to analyse | Strategic, procedural, political and resource implications including - delay to the Local Plan programme; not meeting the Government's timeline for submission; increased risk of Government intervention; knock on delays to the evidence base to support Regulation 19; political and governance risks; reputational risks with the community and stakeholders; increased workload and compression of future tasks; financial implications in progressing additional resources to assist in meeting the programme; abortive local plan work if overall work programme and submission cannot be achieved. | F, R | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 3 | 5 | 15 | Identify and get in place additional resource and free up capacity to deliver the Regulation 18 consultation workstream; cross departmental working; ensure that the task is prioritised over other workstreams where possible and subject to other critical pathways; provide a reporting template and prioritise key deliverables. | 2 | 5 | 10 | Agree a clear escalation process; Corporate support and cross - departmental working to progress the work streams | 5.1 and 10.1 | Corporate Strategy |
| 22 | Delays caused by IT issues (internal and external systems) | Delay to progressing work streams; Local Plan timetable slippage; inability to finalise work when required; increased costs and inefficiency; increased pressure on resources and capacity. | F, R, H | Director of Planning, Housing and Environmental Health | 22/01/26 | N/A | 3 | 3 | 9 | Ensure stable and well supported systems; ensure software updates are undertaken outside working hours; understand the systems and plan for eventualities. | 3 | 2 | 6 | Ensure updates do not affect performance; ensure updates will not affect work momentum or require too much learning or affect data; identify IT dependencies and monitor risks; strengthen IT support; ensure responsive IT support; ensure capacity and build flexibility into the work programme; Ensure flexibility in the IT budget for contingency and modernisation. | 5.1 and 10.1 | Corporate Strategy |