



Horsham District Local Plan Examination

Response to Action Point 11

Appendix 1

Matter 1, Issue 2 - Legal and Procedural Requirements - Whether the Council has complied with other relevant procedural and legal requirements?

Matter 3, Issue 2 - Climate Change and Water - Whether the approach to water neutrality and flooding is justified, effective, consistent with national policy and positively prepared?

HDC35a

December 2024

Sussex North Offsetting Water Scheme (SNOWS) Risk Register
v9.1 (19 Sep 2024)

Risk ID	Date Added	Added by (name)	Risk Category	Risk Name	Risk Description	Probability (<10)	Impact (<10)	Total Risk Score	Probability & Impact Description	Cost Impact, in £k (if known)	Schedule Impact, in days (if known)	Risk Response/s	Risk Owner	Probability (after mitigation)	Impact (after mitigation)	Risk Score (after mitigation)	Current Status	Date Updated	Comments
001	02/02/2023		Development Management	Cost impact on delivery	Costs may impact on delivery of some uses. For instance, small scale rural affordable housing schemes, small commercial town centre development, self-funded school projects etc.	5	5	10	The probability is considered lower for some LPAs, e.g. HDCC. All LPAs have carried out viability testing and found the costs to be acceptable, but there may still be challenges from some applicants. The impact of this could be to prevent certain types of development coming forward due to viability issues.			<ul style="list-style-type: none"> - Local planning authorities have viability tested costs for different typologies and have proven to be viable. - Proposed costs will be reviewed by the project team once set, which will enable the project team to flag any viability concerns. - Should such issues be flagged, the project can consider additional steps that could be taken to mitigate this risk, which could include targeted consultations with developers to understand their concerns. 	Policy Group	3	5	8	Open	02/01/2024	If the credit values are close to the figure used for the Part C report (£2,000 for building to and offsetting 85 lives) then there will be no concerns. Any significant differences may require re-baselining viability. Initial cost estimates (Dec 2023) put the cost of offsetting at just over £2,000 (which includes the cost of building to 85 lives).
002	02/02/2023		Costs / Funding	Forward funding	Because the cost of offsetting measures will be calculated based on Southern Water WRMP (non-financial) contributions, there is a shortfall in early years of the scheme operation (until ~2025) until SW can begin making these WRMP contributions. Additional funding will be required to cover this shortfall, but it is currently not clear how or by whom these funds will be provided.	8	10	18	There is a high probability of this risk emerging, as there is currently no capacity funding from central government, unlike for nutrient neutrality. The project will need to seek funding through other means, but this is not guaranteed to be provided. Local authorities do not necessarily have the available funds to forward fund the project. The impact of this lack of funding is critical - without sufficient funding, the scheme will not be able to procure offsetting services. The shared procurement service has confirmed that budget will need to be in place for any (offsetting supplier) contracts that are entered into.			<ul style="list-style-type: none"> - The Project Manager will produce a Costs & Funding Plan to set out the strategy for securing funding for the scheme. This will enable the project to have a clearer idea of the forward funding requirement. - We made a bid for Ofwat Water Discovery Challenge funding, but we did not meet the eligibility criteria. Further rounds of funding will be open to local authorities. - We have written to Defra & MHCLG ministers to request funding and/or a loan facility. We continue to chase responses with Defra & MHCLG. We met with Water Minister Robbie Moore just before the new Labour government came into power in July. We have subsequently written to the new Labour ministers in Sep 2024. - We requested funding via Home England, but this was turned down. - We made a bid for funding via MHCLG's Local Nutrient Mitigation Fund, following advice from MHCLG colleagues that water neutrality issues would be considered for any submission we made. This bid was turned down. - We will explore other funding opportunities, such as the Nature & Climate Change National Lottery Fund, Microsoft Climate Innovation Fund, Green Finance Institute, MHCLG nutrient neutrality funding, and NE species recovery funding. - CBC has committed ~£1m to Crawley Homes retrofit (flow restrictors). - Local authorities have set aside some funding (CBC has WSSC intending to). - Discussed matter with Defra in Jul 2023 meeting, following news that Cambridge is to receive £3m funding for piloting offsetting opportunities. This funding was later extended to £9m and we continue discussions with partners on this funding disparity. 	Clark Gordon	7	10	17	Open	30/08/2024	
003	02/02/2023		Costs / Funding	Loss of authority funds	There is a risk for authorities in paying up front for offsetting but not collecting all of it back. For instance, if developers use their own offsetting initiatives, a national solution is introduced, or if the need for water neutrality is found not to be necessary.	6	7	13	The probability score assumes that the local authorities have provided (forward) funding for the scheme. There is an increasing probability as we move through 2024 that developers will come up with their own solutions and will not access the local authority scheme, which will impact on the scheme's forecast calculations. If one of the big site promoters in were to go it alone (North Hoveham, West of Southwater, etc) that would be a void that never gets filled. The impact of this could be that the scheme does not have the opportunity to recoup sufficient funds from developers to reimburse local authorities that have provided funding, i.e. the scheme would operate at a loss. Work is ongoing in other areas to deliver a 'credit scheme' which may be rolled out nationally, and could become a 'competitor' to SNOWS.			<ul style="list-style-type: none"> - The Costs & Funding Plan being developed will set out external funding sources that can be applied for, which could negate the need for local authorities to provide funding for the scheme. - The project has published a Comms & Engagement Plan and the development industry has been identified as a key stakeholder. Proactive engagement is now commencing with developers and applicants. - The scheme will engage with large site promoters (as well as organisations like the Land Promoters & Developers Federation) to encourage them to use the local authority scheme rather than using their own solutions. - Offset measures only need to be installed once a developer has already accessed the scheme, so there will be limited risk of offsetting measures being installed and not paid for. - Southern Water's WRMP is a live programme so changes will occur, therefore continued regular dialogue with SW will be essential throughout the programme as part of the WRMP annual review. 	Clark Gordon	4	7	11	Open	16/02/2024	
004	02/02/2023		Costs / Funding	Inaccurate valuation of developer contributions	The value that developers pay into the scheme for water 'credits' may be overvalued, leading to excess funds within the scheme at termination, or conversely they may be undervalued, leading to a shortfall in funds that would need to be covered through other means. The value needs to take account of scheme administration costs, such as project staff salaries / office time, monitoring, legal advice etc.	7	6	13	Without forecasts based on up to date information, there is a relatively high probability that the costs for developers to access the scheme will be inaccurate. The impact of this would be particularly high if the costs to developers are undervalued (i.e. leading to a shortfall) - see risk 003, but the impact could also be high if there are excess funds left at project closure which need to be managed.			<ul style="list-style-type: none"> - The Costs & Funding Plan being developed will assess the developer contributions required for the scheme to operate without financial loss (or significant gain, unless otherwise agreed). A contingency figure will be included. - The C&F Plan will set out review dates to ensure that income is covering costs. - Regular monitoring and cost revisions (e.g. should product or labour costs increase) should mitigate against this issue. - We are seeking legal advice about the ability of the scheme to operate with a surplus. - Southern Water's WRMP is a live programme so changes will occur, therefore continued regular dialogue with SW will be essential throughout the programme as part of the WRMP annual review. 	Clark Gordon	3	6	9	Open	30/08/2024	
005	02/02/2023		Offsetting Measures	Offsetting measures not installed quickly enough	If the offsetting provider/s are not able to deliver the measures as quickly as forecast (for example if they go bankrupt or there are supply issues), this may impact on the pace of housing and infrastructure (e.g. waste management facilities) delivery (or at least occupation).	4	8	12	The probability is relatively low because we already have evidence from the Crawley Homes trial about the pace of delivery being sufficient, but there is still a risk of, for example, bankruptcy. The impact would be substantial - potentially stopping developments from being approved and/or occupied.			<ul style="list-style-type: none"> - The project will be developing a Procurement Plan, which will include details about how to mitigate this risk. - The brief for the procurement of offset measures providers will need to include questions of the suppliers about their capacity to deliver at pace. - During the procurement process, we will need to account for the likelihood of suppliers being unable to fulfil their obligations for any reason and what could be done to mitigate this (e.g. consideration of the financial health of the supplier). - As part of procurement process and contract management, we will undertake business checks (Companies House) of accounts, plus also require contingency / business plans for emergency situations. - There is the possibility to procure multiple offset measures suppliers to mitigate against the risk of one supplier being unable to fulfil their obligations. 	Clark Gordon	2	4	6	Open	13/07/2023	
006	02/02/2023		Development Management	Disagreement or challenge on development prioritisation	Authorities may disagree on the priority order of developments to utilise the scheme, or there may be challenge from an applicant about their place in the queue.	10	9	19	Without an 'access protocol', developments would have access to the scheme as they are received. There would be a high probability of this risk occurring because one LPA may use all of the available credits in the scheme with their applications, leaving no available credits for other LPAs. developments may access the scheme which are a lower priority for the LPAs, or multiple large, strategic sites may be received by different LPAs at the same time without sufficient credits to serve both developments. Developers would be likely to challenge their place in the 'queue' without a formal process in place. The impact of this would be significant, with lower priority schemes being prioritised over higher ones, and the resulting significant disagreement about the pace of development. There is also a risk of legal challenge from a developer who cannot access the scheme immediately. As of August 2024, because of continued disagreement on the prioritisation approach, the pre- and post-mitigation probability scores have been increased.			<ul style="list-style-type: none"> - The project will develop a 'scheme access protocol', agreed with all of the LPAs, which will set out which developments will be prioritised for access to the scheme. This will ultimately be agreed by the local authority executives. However, there may still be disagreement from some authorities about the precise details of the final, agreed solution. - This protocol will be reviewed by the project's legal support to reduce the risk of legal challenge from applicants. - Ongoing monitoring of offset delivery programmes against Local Plan development phasing and delivery lifetimes, leading to adjustments of the access protocol as necessary. 	Clark Gordon	7	8	15	Open	30/08/2024	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register

Risk ID	Date Added	Added by (User)	Risk Category	Risk Name	Risk Description	Probability (1-5)	Total Risk Score	Impact (1-5)	Cost Impact in £ (0/100k)	Schedule Impact in days (0/100k)	Risk Response(s)	Risk Owner	Probability (after mitigation)	Impact (after mitigation)	Risk Score (after mitigation)	Current Status	Date Updated	Comments	
007	02/02/2023		Monitoring & Reporting		<p>Potential for applications to be 'misread' or 'slip through the net'. New entries in the DM teams may not be fully communicated or understood by other DM teams and the communication process between the DM teams and the scheme is cumbersome or unclear. This may lead to under- or mis-reporting of DM data.</p> <p>Under- or mis-reporting of DM data may be mis-reported in SNOWS registers by SNOWS officers due to the variety of application types received.</p>	6	7	4				DM Group	4	3	0	Open	18/09/2024		
008	02/02/2023		Development Management		<p>DM teams in different authorities may take different approaches in providing advice about the scheme and inconsistencies may begin to emerge between LPA's. The DM teams may not be fully aware of the variations in approaches to specific (parts of) applications, such as water requests for landscaping purposes.</p> <p>There is already considerable divergence between the submission dates of the Local Plans. Further delays will increase the discrepancy between water efficiency requirements and the Local Plan, which in turn could lead to complications and/or additional reviews of the LPA's. This could lead to a higher amount of planning applications that this would have on LPA's.</p>	5	5	10				<p>The monthly DM and Policy Group meetings provides forums for LPAs to share learning and best practice, and to ensure consistency of approach between the LPA's. We will set out consistent processes and forms for DM teams to access the scheme, reducing the likelihood of inconsistent approaches.</p> <p>The Policy Group has developed a Statement of Common Ground for the Sussex North authorities on water neutrality, which will demonstrate to PINS in consistency of approach across the LPAs. The SACOG has also been endorsed by the Planning Inspectorate. The Policy Group has also developed a 'Water Neutrality Topic Paper (plus an update)' which will tell the story to the Planning Inspectorate examining the LPA's Local Plan submissions. The Policy Group will continue to meet monthly with PINS to keep PINS informed of the joint LPA approach to water neutrality and to engage views on steps taken to date and approach set out in the Planning Inspectorate meetings held with PINS in September 2022 and June 2023 to keep PINS informed of the joint LPA approach to water neutrality. The Policy Group meet monthly to share updates on the progress of amongst Local Plans and any issues. PAs are assured that the LPAs will be satisfied and the LP will be water neutral.</p> <p>CDC's Local Plan has passed through examination without any issues identified and the LP will be water neutral. This provides strong evidence for the other LPA's subsequent examinations.</p>	DM Group	2	3	0	Open	13/07/2023	
009	02/02/2023		Planning Policy		<p>Delays to a new Local Plan being adopted.</p> <p>Delays are inevitable and already happening, though longer delays or responses of plans are not certain. The longer the delay, the more uncertainty there is for planning applications without Local Plans adopted.</p>	8	6	14				Policy Group	5	4	0	Open	30/09/2024	As of August 2024, CDC are awaiting their final inspectors report. They are scheduled to accept the plan in October. CDC, IDC and MSCC plans have all been submitted for examination, with CDC and IDC at the end of the examination process and MSCC at the start. CDC are aiming to start into early 2025 for IDC at the start of 2025.	
010	02/02/2023		Planning Policy		<p>If the proposed lighter water efficiency standards of 85% are adopted, this will result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process.</p> <p>Tighter water efficiency standards will require more applications to be approved through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process.</p>	3	6	13				<p>The Policy Group is developing a Statement of Common Ground for all of the LPA's to ensure consistency of approach across the LPAs. The SACOG will also be endorsed by the Planning Inspectorate. The Policy Group has also developed a 'Water Neutrality Topic Paper (plus an update)' which will tell the story to the Planning Inspectorate examining the LPA's Local Plan submissions. The Policy Group will continue to meet monthly with PINS to keep PINS informed of the joint LPA approach to water neutrality and to engage views on steps taken to date and approach set out in the Planning Inspectorate meetings held with PINS in September 2022 and June 2023 to keep PINS informed of the joint LPA approach to water neutrality. The Policy Group meet monthly to share updates on the progress of amongst Local Plans and any issues. PAs are assured that the LPAs will be satisfied and the LP will be water neutral.</p> <p>CDC's Local Plan has passed through examination without any issues identified and the LP will be water neutral. This provides strong evidence for the other LPA's subsequent examinations.</p>	Policy Group	2	5	0	Open	02/01/2024	Risk reduced following Defra ministerial statement of December 2023.
011	02/02/2023		Offsetting Measures		<p>There is a finite stock of forward funded residential water efficiency measures. This stock of measures is finite and will be exhausted over time. This situation could result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process.</p> <p>There is a finite stock of forward funded residential water efficiency measures. This stock of measures is finite and will be exhausted over time. This situation could result in a higher amount of applications being rejected through the Local Plan process. This situation could result in a higher amount of applications being rejected through the Local Plan process.</p>	7	7	14				<p>The project will produce, only if required, a benefits statement of health that could help to persuade residents and property owners of the benefits of the project. The project will also be supported by a range of other measures, such as public studies in schools, non-residential properties and golf courses, which will help to offset the carbon footprint of the project. We are already in early discussions with other third parties that may be able to offset the carbon footprint of the project. We are also in early discussions with other third parties that may be able to offset the carbon footprint of the project. We are also in early discussions with other third parties that may be able to offset the carbon footprint of the project.</p>	Clark Gordon	5	4	0	Open	30/09/2024	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register

Risk ID	Date Added	Added by (Version)	Risk Category	Risk Name	Risk Description	Probability (1-5)	Total Risk Score	Impact (1-5)	Cost Impact in £ (Millions)	Schedule Impact in days (Months)	Risk Response(s)	Risk Owner	Probability (after response)	Impact (after response)	Risk Score (after response)	Current Status	Date Updated	Comments			
012	02/02/2023		Monitoring & Reporting	Double-counting of benefits	<p>The model applied when an existing development implements water-saving measures can only be used against one application. Steps need to be taken to ensure that the model is not used to double-count additional developments. This also indicates developers doing their own deeds to offset their developments from the model need to be recorded by or available to the scheme.</p> <p>Southern Water are not currently forecast to deliver demand reduction that SNOWS can utilize until 2025, but this forecast may slip, leading to unsteady or increased demand reduction. This may also fail to meet their annual demand reduction forecasts in following years.</p> <p>Southern Water fail to record developer demand reduction targets.</p>	5	12	7	There is a medium probability, as there will still be relatively few applications that have been granted for offsetting, and as of now there are relatively few applications that have been granted for offsetting to date. The probability of this will increase with time. The impact would be to double-count benefits where unauthorised and formal applications would not be meeting their obligations as set out in the SNOWS Regulations. Some applications may be double-counting benefits. As of August 2024, the over-allocation probability has increased from 5 to 7 owing to the increased prevalence of this type of application. Steps need to be taken to ensure that the model is not used to double-count additional developments. This also indicates developers doing their own deeds to offset their developments from the model need to be recorded by or available to the scheme.	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will include 'water-class scenarios' planning forecasts to indicate the potential schedule and cost impacts on the project. This will allow us to identify any potential issues early and therefore be an issue if they were outside of the additional buffer.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	5	5	5	10	Open	30/09/2024	
013	02/02/2023		Southern Water	Regulator's decision to restrict the scheme	<p>Southern Water were forecast to deliver their SRO by July 2023. However, we were advised in July 2023 that Southern Water may not be able to deliver by this date, they may also fail to meet their annual demand reduction forecasts in following years.</p> <p>Southern Water fail to record developer demand reduction targets.</p> <p>Southern Water fail to record developer demand reduction targets.</p>	7	8	8	<p>The probability is relatively high due to the significant impact of the scheme on the water supply. The forecast date, the impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant.</p> <p>The probability is relatively high due to the significant impact of the scheme on the water supply. The forecast date, the impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant.</p>	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	7	7	7	14	Open	30/09/2024	As of Aug 2024, concerns remain high that Southern Water will not be able to deliver their forthcoming WRMP. They are also being questioned by regulators to ensure they meet the targets of their previous WRMP.
014	02/02/2023		Southern Water	Regulator's decision to restrict the scheme	<p>Southern Water were forecast to deliver their SRO by July 2023. However, we were advised in July 2023 that Southern Water may not be able to deliver by this date, they may also fail to meet their annual demand reduction forecasts in following years.</p> <p>Southern Water fail to record developer demand reduction targets.</p> <p>Southern Water fail to record developer demand reduction targets.</p>	6	6	6	<p>The probability is very high for the reasons outlined for the previous risk. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant.</p> <p>The probability is very high for the reasons outlined for the previous risk. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant. The impact on SNOWS would be very significant.</p>	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	6	6	6	10	Open	30/09/2024	
015	02/02/2023		Monitoring & Reporting	Regulator's decision to restrict the scheme	<p>Once the scheme is deployed and has been operating for some time, Natural England or another regulator may identify that the scheme is not delivering the expected benefits to protect sites and the scheme operation is insufficient to protect these impacts.</p> <p>Regulator's decision to restrict the scheme</p>	4	7	7	<p>There is a medium probability of this risk occurring, as NE have formally agreed with the offsetting strategy, if not the exact details of how the scheme will operate. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium.</p> <p>There is a medium probability of this risk occurring, as NE have formally agreed with the offsetting strategy, if not the exact details of how the scheme will operate. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium. The impact on SNOWS would be low to medium.</p>	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	4	4	4	8	Open	29/04/2024	NE has confirmed that SNOWS will not be restricted. This risk is therefore considered to be outside of the project's control.
016	02/02/2023		Data Management	Data sharing and version control	<p>Project files are currently stored on MS Teams, to which local authority project team members have access. Project team members may download copies of the project files, which could be used to create a version of the same document being in circulation at any one time. This could lead to an incorrect version of a document being referred to internally or externally.</p> <p>Data sharing and version control</p>	3	3	3	<p>The probability is very low since we moved from MS Teams to a secure cloud storage solution. The impact on SNOWS would be very low. The impact on SNOWS would be very low. The impact on SNOWS would be very low. The impact on SNOWS would be very low.</p> <p>The probability is very low since we moved from MS Teams to a secure cloud storage solution. The impact on SNOWS would be very low. The impact on SNOWS would be very low. The impact on SNOWS would be very low. The impact on SNOWS would be very low.</p>	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	3	3	3	0	Open	30/09/2024	
017	02/02/2023		Governance	Conflict between authority policies	<p>As the project will be operating or serving multiple purposes, there may be a conflict between policies at different stages of the project. This could lead to a conflict between authority policies.</p> <p>Conflict between authority policies</p>	6	7	7	<p>There is a medium probability as there are several local authorities involved in SNOWS, which raises the risk of conflicting policies. The impact on SNOWS would be medium. The impact on SNOWS would be medium. The impact on SNOWS would be medium. The impact on SNOWS would be medium.</p> <p>There is a medium probability as there are several local authorities involved in SNOWS, which raises the risk of conflicting policies. The impact on SNOWS would be medium. The impact on SNOWS would be medium. The impact on SNOWS would be medium. The impact on SNOWS would be medium.</p>	0	0	0	<p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p> <p>- We are engaging with SW and regulators through multiple routes, so can keep abreast of the latest updates on SW meeting their targets and challenge them to ensure they are met.</p> <p>- The Costs & Funding and Delivery Plans will set out high-level forecasts for the continued operation of the scheme post-2020. This will be regularly updated to reflect any changes to the scheme.</p> <p>- In 2022, SNOWS will be required to continue operating, we will undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review. This will involve a full scheme review to undertake a full scheme review.</p> <p>- This risk has been flagged to SW via consultation of this register through monthly engagement meetings with SW.</p> <p>- SW have added that our developer reduction is set out as part of our WRMP which is regulated by OFWAT including monitoring of delivery progress.</p>	Clark Gordon	4	4	4	8	Open	02/05/2023	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register

Risk ID	Date Added	Added by (owner)	Risk Category	Risk Name	Risk Description	Total Risk Score	Probability (1-5)	Impact (1-3)	Probability & Impact Description	Cost Impact in £ (thousands)	Schedule Impact in days (thousands)	Risk Response(s)	Risk Owner	Probability (after response)	Impact (after response)	Risk Score (after response)	Current Status	Date Updated	Comments
018	08/02/2024		Communication	Complaints from developers/applicants	Developers and applicants are used for a scheme to be implemented. Any delay to the implementation of the scheme risks an increase in the frequency and level of complaints. The scheme is implemented there may be complaints about its operation to respond to.	6	6	6	The probability is very high - we are already receiving complaints about the need for SNOWS. Once the scheme development is more widely known, there could be a significant increase in the number of complaints. This is particularly risky once a scheme launch date has been agreed. There are already a small number of complaints in relation to the scheme, with some concerns in relation to communications being insufficient. The overall impact on the scheme is medium. While complaints are a part of this scheme, dealing with and responding to complaints received will take a variable period of time used for project delivery. All of the partner authorities have their own complaints processes, which will likely be used to address any complaints. There are a number of complaints that may fall to SNOWS, but could be a shared burden between DM teams and SNOWS.	Complaints could take 2-3 days, or more, to respond to. DM team will manage time to deal with.		Clark Gordon	5	4	4	0 Open	30/09/2024	- The Commis & Engagement Plan has been updated to set out a consistent process for specifically dealing with complaints (and confirmations), including a timeline for responses. - The Commis & Engagement Strategy sets out the projects approach to engaging with key stakeholders, who are thought the most likely to complain about the scheme. - A 'Complaints and Concerns' section has been added to the Commis & Engagement Plan, and a 'Complaints and Concerns' section has been added to the DM team's project plan to allow the project time to consider and respond through the appropriate channels.	
019	08/02/2024		Implementation	Changes to government policy	Any changes to government policies or positions, including those of regulators, that may directly or indirectly affect the scheme.	6	7	13	Following the substantial proposed changes to the Hales Regs through the LURB in summer/autumn 2023, the probability of government intervention was increased to high. This was due to the changes to the Hales Regs being backed by the House of Lords, there were no indications of further changes in the Kings Speech (Nov 2023), and the probability of government intervention was high. The probability has been reduced from 8 to 3.			Policy Group	7	7	10	0 Open	30/09/2024	- MCLG and Defra - who set relevant government policy in this area - form part of the project governance structure and will be kept fully briefed on project progress and updates through the governance meetings and other channels. - We have agreed with MCLG and Defra which project plan documents they would review, including the project's NOD matrix - part of the Commis & Engagement Plan. - We would expect MCLG or Defra to advise of any such issues as soon as possible, so that the project team can consider our position and act accordingly. - In September 2024, we will be writing to the new Defra & MCLG ministers in relation to the project to discuss potential future changes. - WSCC have issued a Position Statement to all schools to ensure that infrastructure, 'green away' and are led to the development of essential infrastructure. - WSCC plan to advise its own assets, which will need to be included in the general funding scheme to ensure that there is no double counting. - WSCC need to provide other authorities indicative plans of all schools and facilities that this would be a risk. For these, WSCC will need to account for WSCC infrastructure requirements yet. The project team will be in contact with WSCC to ensure that the infrastructure is properly accounted for. If the scheme may not be operating in line with regulatory requirements.	
020	08/02/2024		Development Management	WSCC infrastructure requirements	There is no agreement on how to account for West Sussex Council's additional school places. The scheme does not have control over all additional school places. The scheme does not have control over all additional school places. The scheme does not have control over all additional school places. The scheme does not have control over all additional school places.	6	6	8	The Port Crevin school access scheduled requirements but not other WSCC services. For some major schemes, we expect schools to be included in the applications for infrastructure development or extensions to existing facilities that this would be a risk. For these, WSCC will need to account for WSCC infrastructure requirements yet. The project team will be in contact with WSCC to ensure that the infrastructure is properly accounted for. If the scheme may not be operating in line with regulatory requirements.			WSCC Infrastructure requirements	6	6	6	0 Open	08/02/2024	- WSCC have issued a Position Statement to all schools to ensure that infrastructure, 'green away' and are led to the development of essential infrastructure. - WSCC plan to advise its own assets, which will need to be included in the general funding scheme to ensure that there is no double counting. - WSCC need to provide other authorities indicative plans of all schools and facilities that this would be a risk. For these, WSCC will need to account for WSCC infrastructure requirements yet. The project team will be in contact with WSCC to ensure that the infrastructure is properly accounted for. If the scheme may not be operating in line with regulatory requirements.	
021	08/02/2024		Development Management	Austerity capacity	It was initially anticipated that SNOWS would detail the development of the scheme processes. There will still be the need to develop the scheme processes in line with the SNOWS schemes, but this will lead to less than originally expected.	6	7	13	DM teams are already resource constrained and it is difficult to recruit to vacant posts. The WN requirements for the scheme are high. The WN requirements for the scheme are high. The WN requirements for the scheme are high. The WN requirements for the scheme are high.			DM teams	6	6	6	0 Open	08/02/2024	- Training guide, clear process guidance, and standard pro-formas will be used to ensure consistent responses from applicants. - We encouraged homes England to request additional capacity support for DM teams, but this was turned down. - Proactive engagement with the development industry during project planning will enable us to encourage developers to use SNOWS where possible. - We will continue to monitor the development industry for any changes (e.g. the LUD) to communicate these messages to their members. - Offsetting will only be programmed and delivered once it is required and we have sufficient funding to deliver it. - We are actively engaging with RPs as our highest priority stakeholders, in order to ensure sufficient funding for the scheme to operate. - We have expanded our engagement to other possible offsetting property providers following difficulties with securing RP stock. - We will continue to monitor the development industry for any changes (e.g. the LUD) to communicate these messages to their members. - We are actively engaging with RPs as our highest priority stakeholders, in order to ensure sufficient funding for the scheme to operate.	
022	14/02/2024		Development Management	DM team's own solutions	Developers and applicants, particularly large companies, may propose their own offsetting solutions. DM team will continue to propose their own solutions, rather than relying on the authority-lead scheme.	6	4	10	In the main, the likelihood of using their own offsetting will likely diminish if the scheme is in operation, as there will be a significant number of applicants who will have their own offsetting solutions. The impact would likely be low, particularly if a few developers choose not to offset. However, if a significant number of applicants choose not to offset, this could have a major impact on the operation of the scheme, as we are already against this.			Clark Gordon	4	4	4	0 Open	08/02/2024	- Proactive engagement with the development industry during project planning will enable us to encourage developers to use SNOWS where possible. - We will continue to monitor the development industry for any changes (e.g. the LUD) to communicate these messages to their members. - Offsetting will only be programmed and delivered once it is required and we have sufficient funding to deliver it. - We are actively engaging with RPs as our highest priority stakeholders, in order to ensure sufficient funding for the scheme to operate. - We have expanded our engagement to other possible offsetting property providers following difficulties with securing RP stock. - We will continue to monitor the development industry for any changes (e.g. the LUD) to communicate these messages to their members. - We are actively engaging with RPs as our highest priority stakeholders, in order to ensure sufficient funding for the scheme to operate.	
023	22/02/2024		Monitoring & Reporting	DM team's own solutions	We may collect too much data or too little data as part of our scheme monitoring.	4	4	7	The probability is relatively low because the data that the project team collect is only used for the scheme. There are a number of reports that the project team collect, which will be used to monitor the scheme. The project team will continue to monitor the scheme to ensure it is running as intended.			Clark Gordon	2	2	3	0 Open	13/07/2024	- The project will produce a Monitoring & Reporting Plan, in conjunction with the development industry, to ensure that the data collected is sufficient for the development of the Monitoring & Reporting Plan, which will help to ensure that the project is running as intended. - We will agree with NE their monitoring and reporting requirements through the development of the Monitoring & Reporting Plan, which will help to ensure that the project is running as intended. - The scheme monitoring programme will be regularly reviewed, and changes will be made to the programme based on learning / feedback.	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register

Risk ID	Date Added	Added by (User)	Risk Category	Risk Name	Risk Description	Probability (1-5)	Total Risk Score	Impact (1-5)	Cost Impact, in £ (Unknown)	Schedule Impact in days (Unknown)	Risk Response(s)	Risk Owner	Impact (after mitigation)	Probability (after mitigation)	Risk Score (after mitigation)	Current Status	Date Updated	Comments
024	22/02/2023		Development Management	Discretion to be able to place up to two live' properties on one live' application/split applications/splits	There is the potential for 2+ applications, appeals, or a challenge to be opposed to the application as things may not be placed up quickly by DM officers or the offsetting schemes.	2	3	5	There is a low likelihood of this risk occurring as we expect most developers to use SNOWS, and there will be received at the same time where developers are using offset property, which developers will need to be cautious of if they are developing their own solution. The impact of the dual accounting, as when sport one of the applications would need to be refused, or an alternative scheme that SNOWS will not allow the application to use the same offsetting property, before an application is granted.		Clark Gordon	2	3	3	3	3	22/02/2023	Closed as the risk has been accepted.
025	22/02/2023		Legal & compliance	Contractual basis for using properties on live' properties on the scheme.	We need to understand the contractual obligations on the contract that will form part of the scheme. e.g. to ensure that we do not grant an application using RP properties for offsetting purposes if the properties do not allow them to be used for offsetting purposes.	6	14	6	The probability is medium because there will likely be limited personal data that the scheme will need to collect, systems, which will be managed by the relevant IT teams. The scheme will only collect data that is required for the purpose of managing the scheme. No excess (personal/sensitive) data will be collected. The scheme will ensure that only those with a need to see the information will be able to access it, and is in high security parties will see the 'red' for their address to prevent other recipients from knowing the distribution list.		Clark Gordon	2	4	4	4	4	30/02/2024	
026	27/02/2023		Data Management	Data security	We need to understand the potential security risks to project data / information, particularly any personal and/or sensitive customer data, from misuse, legislation e.g. GDPR.	6	15	6	Currently, there is no contract drafted for securing offset properties with SNOWS, without which there is a risk that the scheme would be significant, because we may have said the water credits to a developer for a property that we do not have the necessary data to support the scheme. We would have to find a replacement offset property for the supported development - this would use up capacity in the scheme for other developments, potentially lowering the standards overall delivery standard.		Clark Gordon	3	7	7	10	Open	13/07/2023	
027	08/03/2023		Offensive Measures	Procurement legal challenge	Officer provides who fail to win a contract with the scheme procurement process may legally challenge the process.	3	7	10	The probability is very high, as there are high likelihood that we can offer to RP's providing properties to the scheme. Early discussions with some RP's indicate that achieving the right balance between ensuring the majority of water savings required could be achieved through fitting fiber repeaters to RP properties, and we are currently working with RP's on this. Other offsetting measures could be used, but there is less certainty about the effectiveness and costs of these applications.		Clark Gordon	6	8	8	10	Open	30/09/2024	
028	14/03/2023		Legal & compliance	LPA non-planning application off-setting requirements	Need to consider other off-setting requirements arising from LPA's as 'competent authority' (e.g. changes to existing council assets), not just allocations/planning applications.	3	7	10	The probability is relatively low given that any shared procurement service, and any requirements they may impose. This impact could be high as it would require specialist legal support and would add national costs.		Clark Gordon	2	4	7	Open	30/09/2023		
029	14/03/2023		Legal & compliance	Risk that infrastructure may not be delivered in the with the requirements arising from a single large strategic infrastructure that is not being offset.	Risk that infrastructure may not be delivered in the with the requirements arising from a single large strategic infrastructure that is not being offset.	6	14	6	The probability is relatively uncertain, it is not clear how many of these applications boxes will emerge during the scheme operation. LPA's may not realize they need to be able to provide the necessary infrastructure. However, the impact is relatively unknown, but there could be the potential for such applications to 'tip through the net', meaning that the LPA's are not meeting their obligations for off-setting requirements.		Clark Gordon	3	2	3	3	3	16/02/2024	Closed as it has been agreed that these applications will not be taken from SNOWS access, as a solely intended to support the project, but the infrastructure requirements will be addressed through the project.
030	14/03/2023		Development Management	Need to consider the infrastructure requirements arising from the requirements arising from a single large strategic infrastructure that is not being offset.	Need to consider the infrastructure requirements arising from the requirements arising from a single large strategic infrastructure that is not being offset.	6	14	6	It is certain that there will be cumulative infrastructure requirements that the scheme will need to account for, and that the infrastructure that is not being offset will be addressed through this scheme.		West Sussex County Council	4	6	6	6	6	16/02/2024	
031	14/03/2023		Monitoring & Reporting	Infrastructure requirements arising from the requirements arising from a single large strategic infrastructure that is not being offset.	Infrastructure requirements arising from the requirements arising from a single large strategic infrastructure that is not being offset.	6	14	6	The Delivery Plan processes will need to set out how sufficient credits will be provided for cumulative infrastructure requirements, how these credits will be managed, and how these credits will be tracked for the offsetting scheme. The Delivery Plan processes will need to set out how sufficient credits will be provided for cumulative infrastructure requirements, how these credits will be managed, and how these credits will be tracked for the offsetting scheme.		West Sussex County Council	6	6	6	11	Open	16/02/2024	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register

Risk ID	Date Added	Added by (User)	Risk Category	Risk Name	Risk Description	Probability (C-1)	Total Risk Score	Probability & Impact Description	Cost Impact in £k (if known)	Schedule Impact in days (if known)	Risk Responses	Risk Owner	Probability (after mitigation)	Impact (after mitigation)	Risk Score (after mitigation)	Current Status	Date Updated	Comments
032	18/03/2023		Monitoring & Reporting		Once an applicant has secured an offset through the scheme and their application is granted, there could be a risk that the applicant does not implement/occupy the development.	4	4	The probability is relatively low because most developers would probably be quick to follow up on their developments in good time. The impact of this risk would be low, as it would mean that some developments to use that may be delayed more quickly. The impact would increase significantly if it was a large scale development that purchased a large proportion of offset credits.			- The prioritisation scoring approach is currently being developed to ensure a quicker commencement of development and provide full information to applicants, which are likely to be delivered more quickly than other applications. - The latest proposed approach sets out that developers would not pay the scheme until they have received planning permission. This will, in part, prevent credits from being 'locked up', but developments during the approval process will still be able to benefit from the 'top up' capacity demand in the SNOWS capacity calculations. DM Group		3	2	3	Open	30/09/2024	
033	18/03/2023		Development Management	Appeal decision weakens scheme approach	The possibility of this risk emerging was considered by the DM team as part of the weight that water neutrality was being given by planning applications. However, due to the Reasoned, Stormflow and the fact that the scheme is not yet approved, the DM team has allowed with a Crumpan condition securing access to SNOWS. The probability has now increased substantially, as the DM team has agreed to allow an appeal that would impact that the DM team has on our ability to manage access to SNOWS.	6	6	The probability of this risk emerging was considered by the DM team as part of the weight that water neutrality was being given by planning applications. However, due to the Reasoned, Stormflow and the fact that the scheme is not yet approved, the DM team has allowed with a Crumpan condition securing access to SNOWS. The probability has now increased substantially, as the DM team has agreed to allow an appeal that would impact that the DM team has on our ability to manage access to SNOWS.			- This is now an issue - see 'Issue' tab - The Delivery Plan processes will clarify how credits will be held for reduced applications. It may be that offsetting credits are not issued to developments until they are in a position to be granted, although this approach may not be possible. - The latest processes propose that an applicant may be at the 'Deposit paid' stage when an application is refused, so may be showing an 'Demand' for SNOWS credits until they have received their planning permission. - We are considering whether to impose a time limit for an applicant to get their application back to the DM team, which would mean that any assigned capacity would be re-allocated to other developments if that time passed and they had not received their permission. DM Group		6	5	5	On Hold	17/10/2023	This has now been upgraded to an issue - see Issue 302.
034	18/03/2023		Development Management	Refusal of applications - Return credit credits	If an applicant has secured an offset through the scheme but their application is refused, it is not clear whether the offset credits go straight back into the scheme or are held for appeal treatments.	7	3	The probability of this risk occurring is quite high, as we would expect there to be several applications that are able to secure offsetting credits, but may be refused on very low, as any offsetting credits would only need to be held for the period of any appeal, if not returned straight back into the scheme.			- An applicant is still required by DM teams to submit details of all offsetting properties used in any VMA solution, which can then be centrally recorded by SNOWS to avoid double-counting, register offsets (similar to the Biodiversity Net Gain register). This would likely have to be managed or hosted by another party and is therefore outside the scope of this project, but the DM team will ensure that the details of all offsetting properties are added to the DM team's central register. - The Delivery Plan will include a method / process to ensure that if a private marketplace is used, DM teams and/or SNOWS are given the full property details of all offsetting properties to check against the scheme's central property register. - We will maintain contact with potential providers of private marketplaces to ensure that they are aware of the project's requirements and how they can be added to the DM team's central register. - As of Jun 2024, SNOWS is now a centralised application stage for any offsetting properties, which will be managed centrally by SNOWS and all offsetting properties can be recorded by SNOWS at this application stage and any potential double-counting issues flagged to DM teams. DM Group		6	2	2	Open	30/09/2024	
035	18/03/2023		Monitoring & Reporting		The probability of this risk is increasing as some private, other may emerge, and if they do, how extensive they will be. There will be safeguards in place from DM teams to ensure that any offsetting properties are added to the DM team's central register and that any offsetting properties are added to the DM team's central register. The impact of this risk is low, as any offsetting properties would be added to the DM team's central register and double-counting would be avoided by the requirements of the scheme.	7	7	The probability of this risk is increasing as some private, other may emerge, and if they do, how extensive they will be. There will be safeguards in place from DM teams to ensure that any offsetting properties are added to the DM team's central register and that any offsetting properties are added to the DM team's central register. The impact of this risk is low, as any offsetting properties would be added to the DM team's central register and double-counting would be avoided by the requirements of the scheme.			- The affected authorities have reported the affected applications to the DM team. - These applications are being accounted for through the emerging development of the scheme access prioritisation protocol. The issue has been flagged to the DM team and will be included in the calculations during the development of the Costs & Funding Plan, which will be updated on the LPA website in the next few weeks. - The DM team will ensure that the details of all offsetting properties are added to the DM team's central register and that any offsetting properties are added to the DM team's central register. - As of Jun 2024, SNOWS is now a centralised application stage for any offsetting properties, which will be managed centrally by SNOWS and all offsetting properties can be recorded by SNOWS at this application stage and any potential double-counting issues flagged to DM teams. DM Group		4	4	4	Open	30/09/2024	
036	18/03/2023		Development Management	Legal challenge to applying for additional applications meeting conditions of scheme	The action in the C of F v Somerset Council High Court was a challenge to the validity of the scheme's water neutrality, over and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications.	10	6	The probability of this risk is low, as any challenge to the scheme's water neutrality would be a challenge to the scheme's water neutrality, over and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications.			- The affected authorities have reported the affected applications to the DM team. - These applications are being accounted for through the emerging development of the scheme access prioritisation protocol. The issue has been flagged to the DM team and will be included in the calculations during the development of the Costs & Funding Plan, which will be updated on the LPA website in the next few weeks. - The DM team will ensure that the details of all offsetting properties are added to the DM team's central register and that any offsetting properties are added to the DM team's central register. - As of Jun 2024, SNOWS is now a centralised application stage for any offsetting properties, which will be managed centrally by SNOWS and all offsetting properties can be recorded by SNOWS at this application stage and any potential double-counting issues flagged to DM teams. DM Group		10	4	4	Open	30/09/2024	https://www.bills.parliament.gov/bills/11524
037	31/03/2023		Legal & compliance	Cross-boundary enforcement	S33 of the Local Government Act does not allow cross-boundary enforcement, e.g. if an offsetting solution in one authority area is used to offset a development in another authority area.	2	6	The probability of this risk is low, as any challenge to the scheme's water neutrality would be a challenge to the scheme's water neutrality, over and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications.			- Local advice will be sought on the best approach to mitigating this risk. - Following an application where this occurred in HDC, a solution has been developed, although it is fairly complex. DM Group		2	5	5	Open	16/02/2024	
038	18/04/2023		Governance	Member issues with the proposed scheme	Members or Councilors may have fundamental or technical issues with the proposed schemes.	6	6	The probability of this risk is low, as any challenge to the scheme's water neutrality would be a challenge to the scheme's water neutrality, over and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications, and above that forecast in the 'Part C' applications.			- Member Councilors are asked to be involved, identify issues, highlight concerns and engage with the DM team. This engagement will be agreed through WMA/OG and the Chief Exec Board as necessary. - The DM team will ensure that the details of all offsetting properties are added to the DM team's central register and that any offsetting properties are added to the DM team's central register. - As of Jun 2024, SNOWS is now a centralised application stage for any offsetting properties, which will be managed centrally by SNOWS and all offsetting properties can be recorded by SNOWS at this application stage and any potential double-counting issues flagged to DM teams. DM Group		4	4	4	Open	13/07/2023	

Sussex North Offsetting Water Schemes (SNOWS) Risk Register
 as of 17/03/2024

Risk ID	Date Added	Added by (User)	Risk Category	Risk Name	Risk Description	Probability (1-5)	Total Risk Score	Impact (1-5)	Cost Impact, in £ (if known)	Schedule Impact in days (if known)	Risk Response(s)	Risk Owner	Probability (after mitigation)	Impact (after mitigation)	Risk Score (after mitigation)	Current Status	Date Updated	Comments
046	01/05/2023	Clark Gordon	Development/Management	Other consents or licences for private offsetting schemes are not granted.	Planning consent for a development that includes a private offsetting scheme may be granted prior to the determination of the SNOWS application (e.g. from the Environment Agency or Natural England) which may not be subsequently granted. There may be a risk that the SNOWS application is not granted to ensure that water neutrality requirements are still being met.	5	6	13	The probability is medium as water agencies, such as the Environment Agency, can have long lead times for the determination of permit of licence applications (e.g. for private offsetting schemes) and the granting of consents will be caused before any permit application is made. The SNOWS application will be made once the planning consent is granted. The high likelihood of a grant of abstraction licence being reduced because of the consent of high water status in the water usage development, or several developments, means forward seeking SNOWS capacity.		DM Group	4	4	3	0 Open	16/02/2024	This risk was resolved from Area & Alison Matthews - Environment Agency.	
047	01/05/2023	Clark Gordon	Implementation	Speed of SNOWS procurement	Project delays have led to delays in beginning procurement for offsetting provisions, which is having an impact on the SNOWS application. Delays that would have been used by SNOWS are being used by developers through private sale.	5	6	13	This is a high risk, especially for the already committed and potential additional loss of large volumes of Registered Frontier stock to individual developers.		Clark Gordon	6	7	13	0 Open	01/05/2023	This risk was suggested by Southern Water in their July 2023 consultation comments for risk 005.	
048	20/05/2023	Clark Gordon	Implementation	SNOWS to provide offsetting capacity	The SNOWS application process currently proposes that applications will be granted with a 3-month condition period. This means that SNOWS will be unable to provide offsetting capacity for several factors, there is a risk that offsetting capacity will be delivered slower, or other applications may jump the queue. Smart Meter data could show that new build properties are not being achieved. For example, Smart Meter data could show that new build properties are not being achieved. For example, Smart Meter data could show that new build properties are not being achieved. For example, Smart Meter data could show that new build properties are not being achieved.	5	6	13	The probability of this occurring is very high, as there are several factors, there is a risk that offsetting capacity will be delivered slower, or other applications may jump the queue. Smart Meter data could show that new build properties are not being achieved. For example, Smart Meter data could show that new build properties are not being achieved. For example, Smart Meter data could show that new build properties are not being achieved.		Clark Gordon	6	4	10	0 Open	20/05/2023	This risk was suggested by Hannah & Alison Matthews - Environment Agency.	
049	07/05/2024	Clark Gordon	Monitoring & Reporting	Non-Offsetting	Due to the change of approach in April 2024 to no longer allow speculative applications to apply for SNOWS credits, there is a risk that unpermitted development that would have been used by SNOWS are being used by developers through private sale.	4	3	11	The probability is likely quite low, as it is unusual for speculative applications to be supported by local authorities, which effectively come forward as speculative sites, so the probability would be higher in areas where there is a high level of speculative development requiring an applicant for such development. This risk is likely to be reduced by the requirement for an alternative solution to water neutrality, which may not be readily available.		Clark Gordon	3	3	3	0 Open	07/05/2024		
050	06/05/2024	Clark Gordon	Development/Management	Non-Offsetting	Due to the change of approach in April 2024 to no longer allow speculative applications to apply for SNOWS credits, there is a risk that unpermitted development that would have been used by SNOWS are being used by developers through private sale.	4	3	11	The probability is likely quite low, as it is unusual for speculative applications to be supported by local authorities, which effectively come forward as speculative sites, so the probability would be higher in areas where there is a high level of speculative development requiring an applicant for such development. This risk is likely to be reduced by the requirement for an alternative solution to water neutrality, which may not be readily available.		DM Group	2	2	3	0 Open	06/05/2024		
051	30/05/2024	Clark Gordon	Southern Water	General Election - July 2024 - delays to Southern Water's WRP	The General Election was held on 4 July 2024. Southern Water's delivery WRP, on which SNOWS is heavily dependent, has been delayed. This has led to delays in the procurement of water neutrality, which could lead to delays in the procurement of water neutrality. Southern Water's WRP is currently in a state of uncertainty, and it is unclear when it will be completed. This could lead to delays in the procurement of water neutrality.	5	6	13	The probability is almost certain, as we understand from the WRP team that the WRP is currently in a state of uncertainty, and it is unclear when it will be completed. This could lead to delays in the procurement of water neutrality.	Any further delays to the WRP could have an impact on the procurement of water neutrality, including the procurement of water neutrality. This risk is likely to be reduced by the requirement for an alternative solution to water neutrality, which may not be readily available.		Clark Gordon	6	6	6	0 Open	30/05/2024	
052	30/05/2024	Clark Gordon	Implementation	Change of government following General Election	The General Election was held on 4 July 2024. As a result of the election, there is a risk that the government will change, which could lead to changes in the procurement of water neutrality. This could lead to delays in the procurement of water neutrality.	5	6	13	The probability is almost certain, as we understand from the WRP team that the WRP is currently in a state of uncertainty, and it is unclear when it will be completed. This could lead to delays in the procurement of water neutrality.		Clark Gordon	6	6	6	0 Open	30/05/2024		
053	12/05/2024	Clark Gordon	Legal & compliance	Money laundering	Applicants could use unlawful funds to purchase credits, thereby laundering the money into a Bradford unit.	5	6	13	The probability is considered low, as the purchase of credits is a regulated activity, and there are strict controls in place to prevent money laundering. However, there is a risk that applicants could use unlawful funds to purchase credits, thereby laundering the money into a Bradford unit.		Clark Gordon	1	4	3	0 Open	30/05/2024	Impact would be reduced after response as there would be limited operational impact. The risk of this occurring is considered low, but the risk of it occurring is considered high. The risk of it occurring is considered high, but the risk of it occurring is considered low.	

Sussex North Offsetting Water Scheme (SNOWS) Issues Register

Issue ID	Date Added	Added by (name)	Issue Category	Issue Name	Issue Description	Overall Project Impact	Cost Impact, in £s (if known)	Schedule Impact, in days (if known)	Issue Responses	Issue Owner	Current Status	Date Updated	Comments
001	02/02/2023	Clark Gordon	Legal	Insufficient legal capacity	There is insufficient internal legal capacity across the site as authorities are not providing the legal implications of the schemes.	The project has a large and ever-increasing list of legal queries and issues that require some legal input. There is some concern that we may waste time on parts of the project (e.g. the development of an access prioritisation approach) which may turn out not to be a legally sound approach.			- At the end of Aug 2024, we are in the final stages of contracting Freebths to provide legal services to SNOWS. They will initially review all of the relevant current project plans and deliverables, and respond to our current legal questions list. - The Project Manager will take account of the decision in the continued development of the prioritisation access protocol, in liaison with the Offsetting Implementation Group. - We met with PNS in Jan 2024 to raise our concerns about the Ravenscroft decision and impacts. - In February and March 2024, we received clarification from the local planning authority regarding the matter. We approached PAS, DL, LHC, and Defra for views, and sought independent legal advice on the likely success of challenge to the Lower Broadbridge Farm decision. HDC did not challenge the decision. - We continue to raise our concerns with Defra, MHCLG and others at our Exec Board meetings and in other communications with them.	Clark Gordon	Closed	05/09/2024	Freebths contacted on 4 Sep 2024.
002	12/10/2023	Clark Gordon	Development Management	Appeal decision weakens scheme approach	The Ravenscroft, Storrington appeal decision, issued in October 2023, has allowed an appeal with a Gremplan condition allowing access to SNOWS (on an alternative offsetting solution).	Assuming that HDC do not challenge the appeal decision and that the scheme is approved, SNOWS are concerned that the decision may impact on the manage access to the scheme in the way that the local authorities require / as is currently being developed. Potentially SNOWS could be 'forced' to find water savings for schemes that have been granted permission with a Gremplan condition, where the scheme may not have been previously intending to prioritise access for the particular development.				Clark Gordon	Open	30/09/2024	
003	16/02/2024	Clark Gordon	Southern Water	Delays with Southern Water's WRMP24 data	Southern Water are delayed with finalising their Resource Management Plan (WRMP). This means there is an ensuing delay to SW finalising their WRMP data, particularly related to their water demand reduction activities, which we require to complete capacity and cost calculations for the SNOWS scheme. We anticipate receiving the data around the time of their consultation on the WRMP, which we expect in early September 2024.	We have produced a first draft of the SNOWS cost calculations, but for the offsetting costs this is reliant on relatively easily obtain the necessary data from the sponsoring LPAs, we also need SW's data to finalise the calculations. SW are providing the bulk of the offsetting capacity within the SNOWS scheme, so their data is critical to confirm what the offsetting requirements will be for SNOWS and therefore the associated costs. We cannot advise applicants of credit charges until these figures are finalised, but this is a request that we receive frequently.		93 - 123 days 39 - 67 days	- We have raised the issue with Defra and the EA about the delay in receiving the data to speak to SW about releasing the data to us ASAP. - The issue has been highlighted at the Exec Board for SW's response. - Work can continue on developing other parts of the capacity and costs forecasts. Provision can be made to include SW data later. Nothing can be finalised until we have the SW data. - We have contacted Ofwat and the EA to ask if they have any plans to get SW to provide the data to us sooner than July.	Clark Gordon	Open	30/09/2024	
004	30/05/2024	Clark Gordon	Offsetting Measures	Securing offsetting opportunities for SNOWS	This is linked to risks 011 (insufficient uptake of offsetting measures), 027 (Registered Providers are not willing to offer sufficient stock), 047 (speed of SNOWS procurement) and 048 (inability of SNOWS to provide offsetting capacity to meet forecast local plan needs).	We are behind schedule with offsetting property engagement and procurement of offsetting suppliers. We are scheduled to begin signing contracts with property providers from autumn 2024. No firm plans are yet in place with any offsetting property providers, and most engagement is still in very early stages. Whilst this will not be a showstopper issue to launching SNOWS, which can only on Southern Water's contribution initially, it will limit our ability to secure enough capacity to meet forecast local plan needs across all of the authorities.			- We employed a Water Neutrality Officer in Sep 2024, whose primary task will be to engage with and secure offsetting opportunities. - We will continue our ongoing engagement with several opportunities and will seek to develop new opportunities as they emerge. - We have recently begun engagement with MOSL - the market operator for the non-household water sector. We anticipate that this could bring new opportunities for engaging with the non-household water sector. - We can also support WSCC with their offsetting work on schools.	Clark Gordon	Open	30/09/2024	

Sussex North Offsetting Water Scheme (SNOWS) Opportunities Register

Opportunity ID	Date Added	Added by (Name)	Opportunity Category	Opportunity Name	Opportunity Description	Probability (1-10)	Benefit (1-10)	Total Opportunity Score	Probability & Benefit Description	Opportunity Responses	Opportunity Owner	Probability (after response)	Benefit (after response)	Opportunity Score (after response)	Current Status	Date Updated	Comments
001	02/02/2023	Clark Gordon	Offsetting Measures	Council-controlled golf courses	There is an opportunity to implement water saving measures, potentially as part of a pilot, to council owned or involved courses.	3	8	11	The probability of this is low, as there is only 1 or 2 golf courses within the WRZ, which are owned by Councils and are potentially available for SNOWS offsetting, and this is the offsetting solution which is least preferred and benefits to the councils could be large, with potentially significant reductions in water bills.	The Water Neutrality Officer will meet with the relevant internal teams at the relevant local authorities to discuss and take forward any opportunities on golf courses. The courses included in the Benefits Realisation Plan that will be developed for the scheme.	Clark Gordon	4	9	13	Open	30/08/2024	
002	02/02/2023	Clark Gordon	Offsetting Measures	Council-owned non-residential facilities	There is an opportunity to implement water saving measures, potentially as part of a pilot, to council owned premises, such as offices, swimming pools, public toilets etc.	6	10	16	The probability is medium, as there are several such facilities in the WRZ, and the relevant local authorities could be used, and this is an offsetting solution which is high on the preference list. The benefits to the council would be significant, as they would reduce their operational water bills, and benefit from heating and hot water being freed from free installation of offsetting measures.	The Project Manager has been early engagement with local authority property/asset teams, and some are looking on the OIG application list to discuss with the relevant internal teams at the relevant local authorities to discuss and take forward any opportunities on council-owned non-residential facilities. The facilities included in the Benefits Realisation Plan that will be developed for the scheme.	Clark Gordon	8	10	18	Open	30/08/2024	
003	02/02/2023	Clark Gordon	Offsetting Measures	Large commercial developments	There is an opportunity to implement additional water-saving devices (e.g. smaller cisterns) in housing stock that has low visitors listed as part of the CBC pilot.	4	4	8	The probability is relatively low, because this solution would require for relationship with a relevant partner or partners, and would add additional contractual obligations with a third party. The benefits to the scheme and sponsoring local authorities would be relatively small, but there would be benefits to the third party.	The Water Neutrality Officer will continue to engage with relevant commercial partners, such as supermarket chains.	Clark Gordon	7	5	12	Open	30/08/2024	As of August 2024, we have reached out to several potential opportunities (incl. Sainsbury's) and have also discussed possible tie-ups with MOSL (the non-household water market operator) in Sussex North.
004	02/02/2023	Clark Gordon	Offsetting Measures	Additional staffing of CBC pilot properties	There is an opportunity to implement additional water-saving devices (e.g. smaller cisterns) in housing stock that has low visitors listed as part of the CBC pilot.	5	7	12	The probability is medium as this is something that will likely be carried out anyway, although the savings achieved will likely need to be shared equally with Natural England and the scheme. The benefits to the scheme and residents would be significant, as CH would benefit from reduced water bills, and the scheme would benefit from additional offsetting credits to use within the scheme.	The Project Manager and Officer will liaise with Crawley Homes (and Natural England as necessary) to discuss this opportunity in more detail. This will be included in the Benefits Realisation Plan that will be developed for the scheme.	Clark Gordon	6	7	13	Open	30/08/2024	
005	02/02/2023	Clark Gordon	Offsetting Measures	Crawley Homes kitchen & bathroom retrofit programme	There is currently a kitchen & bathroom retrofit programme across Crawley Homes properties. It would be possible to calculate the water savings achieved through this programme backdated to when the NE position statement was issued).	6	7	13	The probability is almost certain, as the work has already been carried out, but there is perhaps less certainty that the savings can be used in the scheme and how much offset provision it would provide. The benefits to the scheme would be substantial as it would provide more than 1000 offsetting credits for work that has already been carried out.	The Project Manager and Officer will liaise with Crawley Homes (and Natural England as necessary) to discuss this opportunity in more detail. This will be included in the Benefits Realisation Plan that will be developed for the scheme.	Clark Gordon	7	7	14	Open	30/08/2024	
006	13/07/2023	Clark Gordon	Offsetting Measures	Developer provides a private offsetting solution with additional capacity	A developer may use their own private offsetting solution, which provides greater capacity than they require for their own development, which may provide an opportunity for SNOWS to purchase additional capacity available for the scheme.	4	8	12	It is likely that most developers will only be providing sufficient offsetting capacity to meet their developments needs, but there may be cases where additional capacity is available. The current SNOWS business plan does not allow for this, but this will be explored through the development of the Full Business Case. However, it's thought unlikely that purchasing credits from a third party would allow SNOWS credits to remain viable affordable. The benefit to the scheme would be significant, as it would provide an additional immediate method of providing capacity in SNOWS.	The Project Manager will assess the option to purchase third party credits through the development of the Full Business Case, the Delivery Plan, and the Costs & Funding Plan.	Clark Gordon	5	8	13	Open	30/08/2024	
007	17/07/2023	Clark Gordon	Monitoring & Reporting	Link with local University to support with scheme monitoring	Depending on the offsetting measures being used, there may be geographical scale, there may be interest from local Universities or other academia to use the outcomes as an academic project and may therefore wish in a position to support the scheme with longer-term monitoring.	4	9	13	The probability at this point is considered relatively low and it may prove too complex to do anything into place. The benefit to the scheme however would be great, in terms of resources and other saved.	The Project Manager will include this within the Monitoring & Reporting Plan. The Project Manager will consider potential opportunities, and will make proactive or reactive contact with parties that may be interested in this approach. The Project Manager to add academic institutions to Comms Plan. Opportunity was raised at Deira meeting in July 2023 (in connection with similar offsetting work in Cambridge) - Opportunity investigated at WMLCO meeting in April 2024.	Clark Gordon	5	9	14	Open	30/08/2024	

Sussex North Offsetting Water Scheme (SNOWS) Opportunities Register

Opportunity ID	Date Added	Added by (Name)	Opportunity Category	Opportunity Name	Opportunity Description	Probability (1-10)	Benefit (1-10)	Total Opportunity Score	Probability & Benefit Description	Opportunity Responses	Opportunity Owner	Probability (after response)	Benefit (after response)	Opportunity Score (after response)	Current Status	Date Updated	Comments
008	20/09/2023	Clerk Gordon	Development Management	Water Neutrality Statements instead of DM teams	Water Neutrality Statements submitted with planning applications could be reviewed by SNOWS officers, instead of DM officers as currently happens. SNOWS officers could then provide appropriate advice to DM officers to enable them to undertake the reviews of Water Neutrality Statements instead of DM teams.	5	5	6	The probability is very low because the current SNOWS team are not currently working on this work, so sufficient resources have not currently been planned for. The impact would be beneficial for DM teams, but would add additional burdens onto the SNOWS team.	- The Project Manager will discuss with WNL0G (and potentially the Exec Board) to determine whether this is a viable option. - If agreed, the Project Manager will incorporate the required resources into the Costs & Funding Plan and update the SNOWS Processes accordingly.	Clerk Gordon	5	5	10	Open	20/09/2023	This would require additional training for SNOWS officers.
009	30/09/2024	Clerk Gordon	Monitoring & Reporting	MOSL opportunities	We met with MOSL - the non-household water market operator - initially in May 2024 and subsequently in July 2024. We identified several potential opportunities for joint-working, especially related to data and comms.	7	9	16	MOSL have access to water data for the entire NHH (non-household) sector across Sussex North. Subject to a data sharing agreement with us, they would be able to share data of, for example, very high water users that we currently do not have access to. The data could also be imperative for the SNOWS capacity and cost calculations. They are also able to help us with comms with water retailers, who in turn could help us with comms to NHH customers regarding a data sharing agreement with MOSL. MOSL would hopefully help to speed up the data sharing agreement with Southern Water, which is currently delayed due to difficulties with NHH data. WSCC, who also attended the second meeting, could also help us with comms for joint-working with the work they are doing for offsetting in schools and other secondary benefits (e.g. carbon reduction).	CC has briefed WNL0G on the opportunity. - CG and Caroline West (WSCC) have sent an "asks list" to MOSL. - CG and CW have arranged further meetings with MOSL. - CG and CW have arranged to meet with NHH water retailers in touch with North and we have already met with Business Stream.	Clerk Gordon	9	9	18	Open	30/09/2024	
010	10/09/2024	Clerk Gordon	Data Management	SNOWS recording system	There is an opportunity to develop (or improve) the recording system for SNOWS. This system could potentially be used to support the recording of other schemes (such as Ecoversity Net Gain).	4	7	11	The probability is relatively low, at least initially. The current intention is to use spreadsheets for recording SNOWS data. The benefit would be reasonably high - both for SNOWS officers and for other users (e.g. DM teams).	- CG raised this opportunity at the Oct 2024 WNL0G meeting.	Clerk Gordon	4	7	11	Open	10/09/2024	