

East Lothian Council Infrastructure Risk Register

Risk ID	Category	Title	Description	Impact	Probability	Current Risk Score	Residual Risk Score	Corrective Actions	Review Date
			Taxis are becoming difficult to source/procure due to the aftereffects of COVID19 and the current economic status. All taxi operators are facing recruitment issues with pressure on wage and working pattern/hours.						
			There is a potential risk of enhanced contracts being offered from other user areas out with ELC as there is a financial benefit to taxi provider moving to cancellation / handback of ELC contract.						
			Alongside this taxi escort provision is scarce due to the limited hours and salary level.						
			The last series of tenders completed by Transport Services resulted in a nil return or a 40% - 100% price increase depending on operator where we received a response.						
R158	Impact on Service Objectives	Reduced Taxi Provision Council Wide	Operators are leaning to Home to School as their primary work and everything else has to fit around that. The main reason for this is the stability of the routes versus the constant changes involved with other taxi hires.	4	5	20	20	Continued and increased discussion with Taxi operators to maintain awareness of any deterioration of the market conditions.	31/01/2026

			Taxi operators are struggling with supply chain for supply of vehicles and spare parts for maintenance. The main Council Services affected by this reduced availability are Education, Children & Families, Adult Services and Homelessness and potential impacts are: Routes cannot be fulfilled due to unavailability. Services hire their own taxis which may not be compliant and the drivers/escorts may not be PVG checked leaving ELC & clients exposed. The cost of finding taxis will see an increase in cost of tenders up to 75-100% All of the above is a reputational risk to the Council. Taxi provision throughout East Lothian has declined by an estimated 45% since 2019.						
R157	Impact on Service Objectives	Reduction in Purchase of Council vehicles	A reduction in future purchase of Council vehicles would result in revenue / maintenance expenditure costs rising. Requirement for the fleet to move to Ultra Low Emission Vehicles (ULEV) cost impact to meet climate change objectives and government legislation – Public Fleet sector target of 2030 for all cars/small vans to be ULEV, no purely fossil fuelled vehicles available to purchase from 2030. No further Transport Scotland funding coming forward for vehicle procurement - limited to EV charging infrastructure.	4	5	20	16	To allow the Council to migrate to an alternative fuel solution SG investment will be required as the cost is currently beyond the capital fund available.	31/03/2026

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	1			ļ			Complete initial survey of ash trees on Council land, including Housing land and Estates land.
							Forestry Squad to continue programme of felling highest risk priority ash trees on Council land as identified in survey.
							Identify best solution for felling high-priority ash trees in road verges, which are Council's responsibility.
							Identify ownership of all priority roadside diseased ash trees on private land. Work with Roads Services and Legal to send letters to private landowners of priority roadside ash trees.
			Failure to adequately plan for and manage the implications and effects of Ash Dieback tree disease across East Lothian, and particularly in high risk				Pursue national funding for local authorities to tackle Ash Dieback via COSLA, SOLACE, and APSE.
R160	Impact on People	Ash Dieback	areas including alongside roads, paths/core paths, and in parks, woodlands, open spaces and housing areas.	5	4	20	Finalise Ash Dieback Action Plan and prepare monitoring framework based on survey findings and national best practice guidelines.
J	1			<u>,</u>	1		Risk Assessments and SOPs to be regularly reviewed

								and updated for all arboriculture and forestry work Monitoring for supply chain issues (availability of skilled arboriculturists who can undertake the works needed), particularly as the disease becomes more prevalent across Scotland, through liaison at national level and with national agencies. Linking with national communications and publicity around Ash Dieback. Communication, collaboration and active engagement with communities. Preparation of landscape recovery and tree replanting programme and implement following removal of diseased ash trees.	
R171	Impact on Reputation	Maintenance of Burial Grounds	Failing to maintain the Council's burial grounds could result in a serious injury/death to the public or ELC employees from falling headstones/memorials and a resulting financial loss due to insurance claims. There is also the risk of losing part of East Lothian's cultural heritage through the loss of family history records on headstones and memorials and failure to comply with the Equalities Act if access paths aren't maintained.	4	4	16	12	Ongoing programme of consolidation works scheduled over winter 2023 24 based on revised risk assessment. Round 3 of Headstone Inspection Programme to be completed by March 2024 according to agreed rolling programme. Project to commence on West area headstones to intensify number of headstone checks complete.	30/09/2026

R172	Impact on Reputation	Burial Service	Inability to provide an efficient burial service and sufficient land for burial purposes would mean that the Council is unable to undertake its statutory duties, and create distress to family and mourner	4	4	16	12	Potential site identified for Tranent Cluster, initial desktop study identified land possibly suitable for development. Purchase in principle agreed.	30/09/2026
R163	Financial Impact	Harbours	Failure to maintain harbours could lead to damage to the fabric of the harbour and to boats on moorings and in dinghy parks (where appropriate). Increase in storm events and increased force of wave action could and has led to damaged walls and infrastructure. Potential risk of injury to harbour users, water pollution, vessels sinking and danger from heights should people / equipment fall. Failure to warn of the dangers of the operation of the boom crane (North Berwick only) resulting in HSE / MCA (Marine and Coastguard Agency) involvement. All could lead to bad publicity for the Council and financial loss through insurance claims from the public.	4	4	16		We work collegiately with NBHT, DHT (harbour empowerment so not our direct responsibility) and with the Ranger team in association with Roads structures team to monitor and take preventative action where budget exists and to recover from storm damage CCAP is now live and in the process of surveying the entire coast to model against climate change impact which will inform upon any actions required	

			Risk of unanticipated changes within Projects resulting in project cost overruns and potential delays to the project with financial consequences for the Council as well as a reputational risk. Recent projects have seen increases in scope due to suitability, condition, upgrades to catering kitchens, safer routes to school, utilities and other factors. Mitigation has not been possible resulting in costs increasing.					Ensure Condition and other data is maintained up to date to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in a good condition. Learning Estate Strategy approved by Council. Delivery and implementation programme to be directly linked to school condition and suitability. Budgeted, programmed plan of work for all existing property assets required to confirm how these will be improved from Condition C D to B or maintained as Condition A B for their lifetime.	
R161	Financial Impact	Education Estate – Changes to Projects	A full survey of all catering kitchens throughout Council properties is required which is not included in the current condition survey work and needs to be resourced.	4	4	16	12	The property estate has been assessed at high level against Scottish Government targets to address Climate Change. A planned programme of works to improve performance of buildings is needed but cannot be progressed without external funding.	30/10/2026

The Scottish Government announced the intention to introduce free school meals for all primary aged children by 2022 as part of the 100 day commitment. Work was initiated by SG to consider the cost and logistical implications of implementing this policy intent. The policy has not yet been implemented in full and there is ongoing engagement between The Scottish Government and local authorities regarding funding.	Ongoing engagement with Head Of Infrastructure and Executive Directors for Place, Education and Children's Services and Council Resources regarding project changes and mitigating against potential financial - reputational risks. Service Manager – SA + CPM to engage with Head of Infrastructure, Executive Director for Education and Childrens' Services (PPP Project Sponsor) regarding resources and risk mitigation. Head Of Finance to review risks against level of Property Renewals Budget and advise how programme of works for improvements in Condition and Suitability can be achieved.

	The Waste (Scotland) Regulations 2012 set out a			
	number of provisions which help Scotland move			
	toward the objectives and targets set out in the			
	Scotland's Zero Waste Plan and help transition			
	toward a circular economy. These provisions include			
	a ban on biodegradable municipal waste going to			
	landfill from the 1 January 2021 – ban has been			
	delayed until 2024. Meeting the ban will have a			
	negative impact on the revenue budget due to			
	increases in gate fees.			
	The Scottish Government has delayed the Deposit			
	Return Scheme until 2025.			
	The scheme is likely to result in a significant loss of			
	high value materials to the Waste Service therefore			
	impacting on the cost effectiveness of delivering			
	kerbside recycling services.			
	The Scottish Government within the context of the			
	circular economy bill is proposing a move away			
	from the current voluntary approach to Scotland's			
	Household Recycling Charter towards a more			
	mandated approach, whereby implementation of			
	the Charter and its cunnorting Code of Practice			

R170	Financial Impact	Failure to meet Waste and recycling targets and legislation	becomes a statutory obligation, placing aspects of the Scottish Household Recycling Charter and its supporting Code of Practice on a statutory footing, specifying materials to be targeted for collection or mandating how they are collected, to accelerate improvements to both the quality and quantity of recycling that local authorities are collecting in Scotland and the provision of more consistent collections.	4	4	16	12	30/09/2026
			Changes to global commodities markets have drastically altered following China's National Sword Policy which instigated strict quality controls on the materials it would accept through import. This has led to huge quantities of poorer quality material without end destinations being retained within the national county of origin. In the UK this has led to an oversupply of material and has reduced the rebate values paid, while East Lothian has in the most part been protected from the worst of the market decline as the box collection system allow us to monitor the material we collect for recycling and ensure it is of sufficiently high quality to attract a value from reprocessors, this continued market uncertainty is likely to increase the cost of procuring kerbside collections going forward.					

R168	Financial Impact	Maintenance of Non- Operational Property Portfolio and Voids	Failure to maintain non-operational properties in compliance with statutory legislation, particularly in relation to statutory compliance and inspections due to insufficient resources may expose the Council to legal proceedings, financial loss, service reduction, damage to its reputation and potential Health and Safety incidents in properties. Failure to maintain rental income of non-operational property portfolio due to disrepair of properties, poor financial checks on tenants, poor debt retrieval, poor implementation of rent reviews and financial climate. This would result in deteriorating properties, loss on rental income and increase in the number of void properties. This could result in injury/loss of life of building users and legal action against the Council. Failure to make sufficient finance available to carry out testing and implement recommendations may result in all of the above. Scottish Government targets to address Climate Change and imminent changes to energy performance requirements for properties will require significant work to assess the current status and plan works to bring buildings up to the required standard. If voids are not kept to a minimum due to disrepair of property, delay in safety checks, and the undertaking of repairs and improvements it could lead to loss of income.	4	4	16	12	Plan a programme of condition surveys and an audit of statutory compliance including dealing with remedial works identified during EICR testing in place. Review and identify inspection and management resource required within SACPM (including Estates) and Engineering Services. Consider wider strategic review of commercial portfolio post COVID-19, including the potential reinvestment of income generated from commercial properties into an improvement programme. Continue asset rationalisation work to reduce surplus assets, non-efficient assets and reduce our carbon footprint. Aim for a focus of staffing resource and maintenance budgets on a reducing number of more efficient buildings.	30/10/2026
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R169	Financial Impact	Capital Programme	Risk of adverse financial implications for the Councils capital programme in the light of unpredictable tender price indices. This is likely to result in tender returns being higher than cost plans. Tender and construction costs continue to rise nationally and to the impacts of international events such as Brexit, COVID, the Ukraine War, Suez Canal etc. have resulted in higher costs levels, which are a 'new normal'. Escalation of the current conflict in Gaza poses a risk. East Lothian Council have received several national reports, information from other local authorities and notifications from contractors regarding labour and skill shortages. There is a trade shortage in Scotland. Although availability of construction materials has improved recently and price inflation appears to be stabilising, this is not equitable across all materials. Key subcontract packages are witnessing significant cost increases. Furniture and IT component shortages/lead-in times are also a continuing challenge. This is particularly relevant in respect of the School Estate Expansion where growth and school capacities require delivery of statutory provision by specific deadlines. If capital projects do not proceed, this could result in insufficient accommodation for pupils within schools, with consequent appeals from parents and reputational damage.	4	4	16	12	Continue to monitor national situation with ELC Procurement, other local authorities and contractors. Prioritise capital projects according to need. Prioritise and programme Capital Plan according to need and prioritise need and timescales. Housing Land Audit is being progressed by Planning. Sufficient staffing and financial resource to be allocated to projects generated by unforeseen breach of school capacities. Capital Plan interventions and S75 alongside the opportunity to refresh the capital plan and phase to match pupil product and expansion requirements.	
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R198	Property	Asset management records	Asset management records Asset management records lost or unavailable for Council operational and non-operational properties. This would necessitate procuring new measured and condition building surveys incurring significant costs to the Council, potential delay to delivery of capital projects and provision of data to other services. Property data held in paper form in Council-owned premises that are not fit for this purpose (unheated etc.).	4	4	16	12	Seek resource to scan existing documents for offsite electronic CD storage Visit archive stores for paper-based material and identify extent of issue	30/10/2026
R165	Financial Impact	Failure to inspect and maintain road infrastructure including (road structures, network and street lighting	These are all major issues for the council given its responsibility for key routes. Any failure in provision/ maintenance may lead to closures, disruptions, adverse public reaction in terms of expectation. A healthy road network aids in enabling a vibrant economy and future economic development. The level of investment in street lighting replacement and maintenance is linked into the holistic road service budget. Following the financial update and reduced budget for 24/25FY Road Services will continue to work with a very challenging financial situation. Recommendation on level of investment will come forward with the Roads Asset Management — Annual Status and Options Report Failure to adequately plan maintenance activities on the public road network could lead to conflict with the requirements of other roads users, including public utilities, events and members of the public. Also failure to comply with the requirements of the Scottish Roads Commissioner such as keeping the gazetteer up to date and other statutory obligations		4	16	9	Review capital programme, prioritise repairs based on needs assessment. Consider delaying non-essential capital works to allow backlog of works to be reduced. Pay close attention to announcements from Government to ensure we continue to comply with all relevant guidance and requirements. Attend PPRC to lobby for additional funding.	11/09/2026

			under the Transport Scotland Act and the New Roads and Street Works Act could result in fines from the Scottish Roads Commissioner (as occurred this year) as well as a reputational impact on ELC if events have to be cancelled.							
R166	Impact on Service Objectives	Current Asset Data	Asset data for operational properties requires continual review otherwise insufficient information is held to prioritise planned investment in buildings and potential risk to occupants, contractors and members of the public from failure of building elements or systems. Asset data requires continual updating and aligned to financial information. The risk being if not updated and accurate it is not possible to use the data to inform decisions regarding future of properties. A recent Finance audit identified that the Council would benefit from investment in an integrated IT system recording all assets. A comprehensive, maintained asset database is required with full access for all relevant parties.	4	4	16	8	A new cycle of building surveys has commenced. Internal and External resources have been allocated to enable these surveys and comprehensive 5 yearly reviews. Implement a comprehensive asset management database for non-operational property, with access available to all relevant services e.g. Finance, E BS, SACPM.	1	

R164	Financial Impact	PPP Project	Failure to adequately resource contract management arrangements will have subsequent issues related to contract compliance, financial risks and deterioration in asset base. Compliance issues include, but are not limited to: asbestos, fire, water quality, building fabric and building services (significant safety and reputational risks). Contract management issues at risk include, but are not limited to: contract guidance for users, benchmarking, Education PPP Specification and curriculum development (modernisation). Asbestos treatment at pre/post of PPP Contract and changes to legislation again form significant risks for ELC including statutory/legislative/management and financial risks. The agreed process is in place however appropriate resources require review. This is also a reputational risk. Fire — Full review of Fire Plans etc. required due to changes in ELC PPP Estate. The agreed process is in place however appropriate resources require review. PPP Future Risk items including Handback preparations.	4	4	16	8	Governance around separate contracts for installation, maintenance and lifecycle replacement of equipment or approve instruction through the PPP contract. Financial approval required to address compliance risks highlighted. Recent processes completed for Ross High School and North Berwick High School expansions are to be reviewed by educational, technical and legal teams to identify any possible improvements and mitigation of risks. RAAC ELC are to monitor ongoing works at Ross High School and transition to normal catering operation. ELC are to progress legal agreement with Innovate. Financial implications minimised through negotiations with Innovate regarding capital spend and formalising in legal agreement. Education responsible for minimising revenue spend in contingency plan.	30/10/2026
R224	Property	Surplus Properties	Failure to dispose of a surplus property due to market conditions, buyers drops out, legal resources, planning resources resulting in ongoing maintenance/security costs for vacant buildings and delay to capital receipts	3	5	15	12	The Estates team will monitor and work with Legal to manage each sale.	30/10/2026

R167	Impact on People	Tree Estate	Failure to manage and maintain the Council's tree estate including a failure to monitor for the current risk from tree diseases resulting in potential damage to people and or property. Also potential negative impact on the landscape and character of East Lothian and its towns and villages, biodiversity, health & wellbeing of residents and the local economy and tourism, as well as ability to achieve climate change targets in the Council's Climate Change Strategy through carbon offsetting.	5	3	15	10	Regular inspections undertaken as well as monitoring for tree diseases within the tree estate with record kept of trees inspected. Resourcing for this is currently limited.	30/09/2026
R85	Financial Impact	Failure of Parking Management Project	Parking demand in many of East Lothian's town centres can be high, especially at peak periods. Growth in car ownership and a lack of spaces for short stay parking makes it difficult for people to access amenities and local businesses. Improving the availability of short stay parking in the town centre increases turn-over making it easier to access the town centre and local services. Opposition raised from the business community stating parking charges will deter shoppers. Income generated would assist in delivering the investment required to introduce and maintain parking management arrangements and to achieve safer streets, parking space turnover and wider investment in active travel and sustainable transport provision. Income generated can be used to encourage greater use of public transport and promote active travel such as walking and cycling to address the Climate Emergency. Resources are required to implement and manage the project timeously to avoid delay and disruption in the delivery of proposed interventions	3	4	12	9	Undertake full economic impact assessments, demand assessments and technical work for all East Lothian towns. Provide consistent approach to consultation on an individual town by town basis commencing in Musselburgh. Engage with community leaders, businesses, area partnerships early to explore their concern. Keep dialogue open. Exploring and identifying additional off street parking intervention(s) where appropriate. Identify partners and stakeholders to keep messages positive.	30/10/2025

			(infrastructure and personnel) on a yearly basis. Political and public opposition to the proposals may increase levels of challenges, scrutiny and objections elongating delivery or potentially abandoning the project.						
R199	Financial Impact	Arms-Length External Organisation (ALEO) – Enjoy Leisure	Arms-Length External Organisation (ALEO) – Enjoy Leisure Enjoy Leisure is the Councils ALEO partner delivering sport and leisure services on behalf of the Council. Enjoy also manage a range of Council sports centres and assets.	4	3	12	9	Options on financial challenges and council input required prepared by enjoy and presented to Board, in contract meetings and through due governance	01/04/2026
R211	Impact on People	Street Cleansing Service	Failure to provide a street sweeping service resulting in the Council not being able to fulfil its statutory duties under the Environmental Protection Act. This would have a negative effect on the landscape character of East Lothian and its towns and villages, biodiversity, health & wellbeing of residents and the local economy and tourism. Failure to deliver SOA Outcome.	4	3	12	8	Additional HGV Sweeper Driver post in recruitment process to meet demands of newly adopted roads.	30/09/2026

		Non delivery of	Non delivery of Musselburgh Flood Protection Scheme (MFPS) The Musselburgh Flood Protection Scheme project ("the Scheme") has been established in liaison with partners following identification of Musselburgh as a Potentially Vulnerable Area (PVA) for flood risk by the Scottish Environment Protection Agency (SEPA). MPFS is a major project being advanced under the Local Flood Risk Management Plan (Forth Estuary) and funded at a rate of 80% under the Scottish Government's Flood Protection Scheme Programme Several project objectives have been identified including flood risk reduction, economic, environmental, social & cultural and regeneration aspects. Public consultation was a key feature in determining the Outline Design which was approved by a full meeting of Council in January 2024. After this period of extensive community engagement, and with the Outline Design approved, the Council approved the Scheme to be notified in accordance with the Flood Risk Management (Scotland) Act 2009 ("the Act"). This happened on 21 March 2024 and was followed by a formal consultation period during when an objection of EIA Representation could be submitted, as required by the Act. This period concluded on 24 April 2024. After the closure of the notification period, East Lothian Council's legal team were responsible for managing the formal process under the Act. As part of the assessment of the valid objections a report was prepared, and seventy-one distinct themes were					The Project Team will continue to liaise with SG's	
R162	Impact on Service Objectives	Non delivery of Musselburgh Flood Protection Scheme (MFPS)	legal team were responsible for managing the formal process under the Act. As part of the assessment of the valid objections a report was	4	3	12	8	The Project Team will continue to liaise with SG's Flooding Policy Team. Scheme was confirmed without modifications and now with Scottish Ministers to determine next steps.	11/09/2026

	1	between October 2024 and May 2025. It is noted				
		that following the meetings it was determined that				
		it would not be possible for all valid objections				
		and/or late objections to be withdrawn.				
		Accordingly, the Act sets out the process that the				
		Council must follow, insofar as it must make a				
		preliminary decision to: (a) confirm the proposed				
		Scheme without modification; (b) confirm the				
		proposed Scheme with modifications; or (c) reject				
		the proposed Scheme. The proposed scheme to				
		reduce flood risks for up to 3,200 properties in the				
		Musselburgh area was confirmed without				
		modifications after councillors gave preliminary				
		approval at a special meeting of Council on the 30th				
		of Sept 2025. Councillors also approved an				
		amendment asking Scottish Ministers to consider				
		the proposals and hold a public local inquiry. The				
		final decision on the scheme progressing would				
		then be made by Ministers.			2	
		In parallel to the scheme a review on the overall				
		Flood Risk Management financial implications is				
		continuing to be undertaken. This is being done by				
		an officer group which includes COSLA, LA Directors				
		of Finance and practitioners, together with Scottish				
		Government and SEPA officers. The group is				
		reporting to the joint officer Settlement &				
		Distribution Group, which advises Leaders and				
		Scottish Ministers on matters affecting funding in				
		the Settlement.				
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R196	Property	Building Standards Team	Building Standards Team Recruitment constraints faced by the Council could lead to the Building Standards Team not being able to maintain a level of staff that is adequately qualified, trained and competent to carry out the Building Standards duties of verification, enforcement, licensing etc. to the targets expected in BSD's new performance framework. BSD recent audit resulted in 6 year extension to the verification role subject to maintaining successful completion of Improvement Plan. Failure to improve could lead to the Council losing the verification role. Increase in Dangerous buildings being reported and increasing requirement to implement enforcement to be addressed.	4	3	12	8	Looking to implement new enforcement measures.	30/09/2026	
R197	Property	Dangerous Buildings	Higher enforcement workload in terms of dangerous buildings for Officers due to various reasons (including increasing instances of severe weather and owners unable to maintain their properties) resulting in increased risk to members of the public. Service Reviews were carried out during 2016 and 2019 and implemented; however, there is an ongoing inability to recruit suitably qualified BS Surveyors resulting in inability to meet targets.	4	3	12	8	Continue to monitor situation with revised workforce in place	30/09/2026	

			Failure of these systems to support service delivery due to power failure or other IT issues would impact on ability to carry out design work and to monitor and control contractors operations. Inability to vet contractors' competences, carry out financial control, communicate over IP telephony and produce contract documentation. These complex software systems faced significant challenges during the initial move to remote working. Staff were unable to operate at normal productivity levels. The CAD systems affected						
			include Autodesk AutoCAD and Revit. Other systems were also been affected e.g. Mail Manager, Badger, causing significant productivity/business continuity challenges. Issues caused by IT 're-imaging' of laptops have also been challenging, in terms of productivity and business continuity.					IT service to resolve availability of hardware and lead-in times for delivery (subject to international	
R159	Impact on Service Objectives	IT systems (e.g. server, AutoCAD)	Availability of hardware is a significant risk to business continuity – Current lead-in time for standard laptops is six months. This is a challenge for recruitment of new staff and for lifecycle replacement of existing equipment.	4	3	12	8	market). Continue to monitor with IT. IT and Transformation- Improvement resources required to support the service through changes. Continue to monitor with IT.	30/10/2026

R231	Financial Impact	Estate management records	Estate management records lost or unavailable resulting in possible disruption to effective property management – effect on establishing ownership and lease terms and conditions (thereby difficult to protect Council's interest and maintain best value objectives), rent reviews missed, loss of rental income, effect on statutory compliance monitoring, financial reporting etc.	3	12	6	Improve off-site storage and back this up more frequently.	30/10/2026
			Servers which house all the technical files for the SACPM and Engineering Services teams require ongoing monitoring of capacity with IT. High risk of non-operation and data loss, resulting in catastrophic failure of business continuity and reputational damage. High financial risk to contract management and project delivery. Increased data storage requirements were inevitable due to transformation, 'New Ways Of Working' (scanning of paper files), Building Information Modelling and value of capital projects. There have been significant issues regarding IT software and hardware for technical teams. e.g. interruptions of access to Autodesk software and connectivity. No recent issue reported.					