



FYLDE BOROUGH COUNCIL



Meeting Agenda

**Policy & Service Review Community
Forum**
**Council Offices, Derby Road,
Wesham**
7 July 2005, 6:00pm

POLICY & SERVICE REVIEW COMMUNITY FORUM MEMBERSHIP

CHAIRMAN – Councillor Simon Renwick
VICE-CHAIRMAN – Councillor John Prestwich

Councillors

Stephen Carpenter	Martin Taylor
Peter Collins	Keith Wright
Raymond Norsworthy	

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CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



A G E N D A

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the Minutes of the Forum held on 9 June 2005.</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
4. CUSTOMER CONTACT CENTRE - LYTHAM	5 - 7
5. THE HOME WORKING POLICY	8 - 24
6. INTRODUCTION AND OPERATION OF HIGH HEDGES LEGISLATION UNDER PART 8 OF THE ANTI-SOCIAL BEHAVIOUR ACT 2003	25 - 30

REPORT



REPORT OF	MEETING	DATE	ITEM NO
EXECUTIVE DIRECTOR	POLICY & SERVICE REVIEW COMMUNITY FORUM	7 TH JULY 2005	4

CUSTOMER CONTACT CENTRE - LYTHAM

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

The Council's proposals for modernising its accommodation involved the development of 3 Customer Contact Centres (CCC). Two have been developed (St Annes and Kirkham) but funding for the third (Lytham) has not yet been identified.

This report presents points of discussion, which seek to inform Members of the current situation so as to prompt consideration of and recommendations for a future course of action in relation to the CCC proposed for Lytham

Recommendation/s

1. That the Committee considers the current situation and refers appropriate recommendations to the Executive Committee.

Executive brief

The item falls within the following Executive Brief / Member Champion role: Leader - Councillor J Coombes: Champion for Asset Management – Cllr W Thompson.

Report

1. The vision for new accommodation, adopted by the Council in 2003 envisaged the following elements:
 - Centralised 'back-office' accommodation for all staff
 - New civic meeting facilities for Councillors and the Mayor
 - Three Customer Contact Centres (Kirkham, St Annes and Lytham)

These facilities were to be financed from funds released by the sale of a number of the Council's existing sites for redevelopment.

2. During 2004 the Accommodation Working Group considered the need to implement the third element of the vision (the Customer Contact Centres - CCCs) in advance of the rest of the programme. This was in response to a number of external pressures and influences such as the 'Implementing Electronic Government' agenda, the drive to deal with a greater number of enquiries at the first point of customer contact and the improvement of access to council services in the rural parts of the Borough.
3. The Council's capital programme was therefore adjusted to allow the creation of two of the CCCs within the funds available to the Council. The criteria given at the time were that they should be developed within existing FBC premises, one would be in the urban area of Lytham St Annes and one in Kirkham in order to improve access in the rural parts of the Borough to a wider range of council services. Resources could not be identified within the existing capital programme to develop all three of the OSSs at that point in time.
4. Although the development of a OSS in Lytham remains part of the vision, the Council's current capital programme does not allocate funding for this.
5. A number of issues are now relevant as to how this element of the accommodation vision may be taken forwards:
 - We are committed to undertaking an evaluation of the impact and success of the CCCs in St Annes and Kirkham in the autumn (Corporate Plan Action Ref. EE1f), which, amongst other things, will give members the opportunity to consider whether a CCC is necessary in Lytham.
 - Can we identify appropriate premises in Lytham in the Council's ownership, which would be suitable for use as a CCC?
 - If so, what capital funding will be required to make it fit for purpose and can we identify the source of these funds? (the combined capital cost of the two OSSs recently opened was around £200,000)
 - If the premises and capital funding can be identified what level of additional revenue resources are required to operate the OSS? (existing experience suggests that this will be in the region of £80,000 per year)
 - If a Borough Council presence is felt to be essential in Lytham, what partnership opportunities exist with other public sector bodies? (initial discussion have taken place with both Lancashire County Council and the Police about the possible joint use of premises in Lytham. At the moment these negotiations are on hold because of the significant revenue implications for the Council in committing to such a venture.)

Conclusions

6. Although the Council has adopted a vision, and it may be highly desirable to establish a CCC in Lytham, no capital or revenue funding streams have currently been identified to implement this vision.
7. An evaluation of the existing CCC operations will be undertaken later in 2005 which will help to inform decisions on the need for future CCC provision.
8. The Executive Committee has been granted delegated authority to determine all remaining matters relating to new accommodation with the exception of the design of both the Civic Suite and the Town Hall site redevelopment which are reserved for full Council.

IMPLICATIONS	
Finance	There are capital and revenue implications of developing a third CCC which are not contained within current budgets.
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
P Woodward	(01253) 658600	22 nd June 2005	OSS Report

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None	N/A	N/A

REPORT



REPORT OF	MEETING	DATE	ITEM NO
POLICY & CHANGE MANAGER	POLICY AND SERVICE REVIEW COMMUNITY FORUM	7 TH JULY 2005	5

THE HOME WORKING POLICY

Public item

This item is for consideration in the public part of the meeting.

Summary

The report presents to the committee the Home Working Policy developed in response to the IEG (Implementing Electronic Government) national priority outcomes that must be achieved by March 2006.

Recommendations

1. That the committee consider the proposed Home Working Policy and recommend approval by the Executive Committee subject to any appropriate proposed changes.

Executive brief

The member E-Champion responsible for the IEG priority outcomes is Councillor John Dolan.

The Report

1. The Home Working Policy included in appendix 1 to this report is put forward as the policy for approval at Fylde. The council is required to approve a Home Working Policy as part of the IEG agenda that requires all authorities to achieve 100% e-service delivery by March 2006.
2. The Home Working Policy has been based on national practice developed through pilot authorities in the national projects. The Human Resource team and senior managers have been engaged in developing the policy. The IT and the Human Resource team will be responsible for developing the detailed procedures to support the delivery of the policy.

3. The committee is asked to consider the proposed Home Working Policy and subject to any necessary changes recommend it's approval by the Executive Committee.

IMPLICATIONS	
Finance	Any financial implications in respect of Home Working must be considered as part of each individual application.
Legal	No further implications arising from the report.
Community Safety	There are no direct Community Safety implications.
Human Rights and Equalities	There are no direct Human Rights and Equalities implications.
Sustainability	There are no direct sustainability implications.
Health & Safety and Risk Management	Risk assessments will be carried out as part of each individual home working application.

REPORT AUTHOR	TEL	DATE	DOC ID
Allan Oldfield	(01253) 658576	May 16 th 2005	Home Working Policy Report
LIST OF BACKGROUND PAPERS			
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION	
None	N/A	N/A	

Attached documents

Appendix 1: The Home Working Policy

Title of Policy	Home Working Policy
Purpose of Policy	To enable effective home and remote working
Date of Policy	March 2005
Policy Review Date	March 2006
Policy Author	Allan Oldfield

Policy Statement

Home working arrangements are part of modern working practices that have been enhanced through the development of technology. More people are working on the move and from different locations all the time and the amount of ‘down time’ is being dramatically reduced as a result. This policy outlines the approach taken at Fylde to initiate, support and develop home and remote working where it can be accommodated.

The policy has been developed as part of a range of equal opportunities and flexible working practices that recognise the need to provide a balance between work and home commitments.

Home working is defined as an arrangement where employees spend all or some of their working week working from their home residence. They may be either working from home as a base, working at home primarily (either with or without on-line computer links), or partly in an office and partly at home.

Scope of the Policy

This policy relates to home or remote working as part of an employee’s usual working practice and not to ad hoc arrangements made at the discretion of a line manager.

Home Working Principles

The following requirements have been established in order to manage and monitor home working arrangements to protect the interests of the employee and the council. It must be recognised that some positions will not be suitable for home working and while every effort will be made to accommodate requests neither managers, employees or job applicants will be forced to agree home working arrangements.

Home working arrangements will be determined by the line manager, the prospective home-worker and the union (where applicable) within the framework of this policy. The arrangements must be signed off by a member of the Executive Board and registered with Personnel.

A home working day is a standard day and other than in exceptional circumstances no flexi-time can be accrued unless the home is being used as the base for remote working.

The arrangements will be reviewed as necessary to assess its effectiveness from both a personal and organisational perspective.

Employees will be able to return to office – based work by agreement with their manager. Home working arrangements are entered into on a voluntary basis.

There should be no adverse effects on the level and quality of service as a result of home working arrangements. It should be seen as an opportunity to reduce down time, improve productivity and enhance morale.

There must be clear objectives and measurable outputs, including targets, for anyone undertaking home working. Targets and deadlines must be agreed, managed and documented. Regular performance reviews must be carried out to ensure that agreed targets are being achieved.

The nature of work carried out must be possible without face to face contact or direct supervision.

Home working should be carried out at times when the employee does not need to be accessible in person or required at short notice for meetings etc.

There should be no increase in workload for colleagues as a result of home working arrangements.

All home working arrangements will be on a trial basis for three months, after which there will be a formal review and both parties must agree for the arrangements to continue.

Responsibilities

In any home working arrangements at Fylde Borough Council the employee must:

- Maintain effective communication with the workplace
- Co-operate fully with management and agree to home visits by Fylde representatives with prior notice
- Establish a safe dedicated work area in the home
- Abide by the terms and conditions (including performance arrangements) of the home working agreement
- Report to nominated locations for meetings, training etc on request of the line manager or to fulfil the duties of their post e.g. visit to customer premises
- Safeguard proprietary information
- Determine and satisfy personal tax implications from working at home

The Council has a responsibility to:

- Ensure the provision and maintenance of appropriate technology to enable home working
- Consider an employees request to work from home
- Determine whether home / remote working arrangements are beneficial to the employee and the council
- Establish procedures for computer security and confidentiality with the employee

- Maintain an inventory of council owned equipment in the employee's home
- Help resolve difficulties that prevent home working arrangements being effectively implemented
- Practical issues such as ensuring office cover, agreeing attendance for meetings and performance reviews must be agreed and documented before home working can begin

Provision of Equipment

Items of equipment that are essential for home working will be provided by the council. The cost of setting up arrangements to work from home will be considered by the line manager in determining whether or not it is practical.

Smaller items such as stationery will be provided as required and ongoing revenue costs such as business call / connection charges will be reimbursed through the established procedures for claiming expenses.

Equipment provided by the Council will remain the property of the Council and must be returned within 5 working days should the employee cease to work from home or leave the employment of the Council.

Any computer hardware and / or software that is provided by the Council for home working cannot be employed for personal use and is subject to the terms and conditions of the Computer Use Policy and Data Protection policy.

Health and Safety Considerations

Employees working from home are required to carry out their own risk assessments in accordance with the self assessment system in place at the Council. Advice, guidance and support will be available from the line manager who is responsible for reviewing the self assessment and retaining a copy on file. Employees must agree to allow access to the home working position by the line manager or the Health and Safety Advisor on request.

Insurance

Employees working from home who have complied with the requirements of this policy will have work facilities and conditions comparable to those they would experience on site and therefore will be covered by the Council's Personal Risk Insurance for the periods they are working. Employees are liable for any equipment provided and must ensure that their home contents policy provides adequate cover.

Taxation Consequences

There are no taxation implications on equipment that is provided by the Council or receipts obtained by the employee and returned to the Council. Tax must be paid on expenses claimed in relation to telephone calls made.

Mortgages & Council Tax

Employees will be required to inform their mortgage provider that part of the premises will be used for home working purposes. Working from home only has implications for an employee's council tax if there is a room dedicated for home working purposes only and no other use. If the room is dedicated to home working and no other use the employee will be liable to business rates charged on the room. If the room is used for any other purpose e.g. bedroom, personal study etc. there will be no business rate charge applicable.

The following is appended to this policy:

Appendix 1: The procedure for processing a request to work from home.

Appendix 2: Home Working Request Form

Appendix 3: Home Working Agreement

Appendix 4: Home Working Risk Assessment

Appendix 1: The procedure for dealing with home working requests

Employees enquiring about home working should complete the Home Working Request Form (Appendix 2).

When a request for home working is submitted the line manager will consult with the Human Resources manager to determine whether or not all, or a significant part of the job **can be** undertaken equally well working from home. Certain jobs cannot be carried out at home because of their requirements e.g. reception work, personal assistant etc. Consideration will be given to the following issues:

- The amount of personal contact required to undertake the tasks
- How the workload can be managed and performance assessed
- Cover required in the work place (office) and service delivery efficiency
- The implications for co-workers and customers
- Hot desk or sharing arrangements in the office environment
- The cost of providing any equipment necessary to work from home
- The implications of setting up any necessary IT equipment (access and practicalities). Some systems cannot be networked to home base and networked systems may not be available in non-work hours
- The suitability of the individual to work from home
- The employees domestic circumstances
- How will management arrangements be put into place when employees are not present for some of the time? There will be a move from concepts such as visibility, control, measuring of attendance and inputs towards trust, measuring of performance and outputs
- Ensuring home workers have the same access to training and career development opportunities as other employees at the office base and are subject to the same appraisal policies

Discussions can involve the applicant and any appropriate stakeholders that the home working proposal may impact upon. Particular reasons for requesting to work from home will be given priority consideration and these are:

- On an employee's return from maternity leave
- In cases of long term sickness
- As a reasonable adjustment arising from an employee's disability
- Where it may assist in balancing care arrangements

- Where there are particular travelling difficulties

If the decision is made not to allow home working the line manager must meet with the employee to discuss the request within 28 days of it being made. This meeting will provide an opportunity to clarify why the request is being refused and consider any alternative working arrangements. Details on why the request has been refused will be retained on file. The applicant will be allowed, if they wish, to be accompanied at this meeting by a work colleague who may be a trade union representative. The line manager must confirm the decision to the employee in writing within 14 days of this meeting.

Where the decision is made to allow home working the employee must be informed in writing and agree a date for the arrangements to start. In the case of an approval the following documents must be drawn up prior to any start date:

- A work plan must be agreed between the line manager and the employee that clearly sets out the targets and deadlines the employee is required to meet
- The actual hours the employee will be undertaking at home (this is not required if performance is assessed on outcomes rather than time spent)
- Agreement that the arrangements are for an initial three month trial period after which the arrangements will be reviewed
- Agreed times of attendance at the workplace (if required)
- Details of any equipment that will be provided by the Council (this should be kept to a minimum for the three month trial)

The employee must carry out a risk assessment of the home working site and any equipment they are using. The risk assessment form is included in Appendix 4. The completed risk assessment form should be kept on the employee's personal file.

If at the end of the trial period it is decided that the arrangements will not continue full details should be communicated to the employee. The employee will return to their usual term and conditions when the arrangements cease. If both parties agree to continue after the trial period then new terms and conditions must be agreed.

Appendix 2: Home Working Request Form

Name:	Work Tel No:
Employment	
Business Unit:	Section:
Job Title	Grade
Home working arrangements	
I wish to request the following home working arrangement:	
Dates	
When would you want the home working to commence?	
Is the request for a permanent or temporary arrangement?	
Permanent	Temporary
Signed:	
Date:	
For Directorate Use	
Line Manager's Decision	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
If NO please give reason(s) for rejecting the request:	

Appendix 3: The Home Working Agreement (outline)

Fylde Borough Council is committed to the promotion of home working where this is both in the interests of the service and welcomed by employees concerned.

Employees wishing to be considered for this type of work should discuss their interest with their line manager.

Those undertaking home working at their home need to be able to make suitable facilities in their house (the home base) available for use as an office for Fylde Borough Council.

The home worker will be required to commit to working a set number of hours per month and / or will be required to produce a work output commensurate with such hours. The home worker will be required to agree a schedule of work and report on the work done.

The home worker will be required to sign a home working agreement, which will cover the items set out in the corporate policy and any further items specific to the individual.

To set up the home base, Fylde Borough Council will provide and install the following equipment [*specify*] and pay the cost of any communications between the home base and the Council.

Other than necessary changes to hours, place of work, etc the provisions of the employee's Contract of Employment will continue in force until termination in accordance with that contract.

The home base will be subject to the Council's Health and Safety Policy and Procedure and the home worker will be expected to ensure the premises accord with the requirement of such Policy and Procedure. Visual display and computer workstations will be checked periodically for ease of use and conformation with legal requirements.

On termination of the home working arrangement, the home worker will return all equipment and material provided by the Council within 5 working days of the termination.

HOMEWORKING AGREEMENT

The home worker agrees that he/she will:

- * Provide suitable home working facilities at the above address, which will be used, for the work of Fylde Borough Council. If the home worker does not own the property then the home worker must obtain permission of the owner to the arrangement and produce evidence of this to their line manager.
- * Carry out the duties set out in the Schedule hereto for a minimum of [*hours per month*] on the terms set out in the [*Schedule/Contract of Employment*].
- * Not use the equipment provided by Fylde Borough Council for any other purposes than the services covered by this Agreement and not use any computer peripherals other than those supplied by the Council.
- * Ensure that the home base is in a safe condition, complying with any Health and Safety requirements imposed by the Council, including reasonable access for inspection purposes.

* Within 5 working days of the termination of this agreement return all the equipment, files, papers, etc to the Council.

* Provide an assurance that he/she does not know of any reason why he/she should not be able to work from the premises using the home base for these purposes.

The organisation agrees that it will:

* Provide suitable equipment (as set out in the attached Schedule) for the home worker to arrange installation, the costs of which it agrees to meet.

* The Council confirms that whilst the employee is undertaking their contract of employment at their home base under this agreement, the normal rules of employers liability will apply.

The parties jointly agree that this Agreement will last for [3 months]. Thereafter it will be subject to the giving by one party to the other of not less than four clear weeks notice in writing. *[For the purpose of clarity it is agreed that the giving of notice to terminate this home working agreement does not affect the employment relationship between the parties as evidenced by the Contract of Employment].*

The Home Working Schedule

1. The duties to be carried out by the home worker are *[specify]*
2. Equipment and services to be provided by Fylde Borough Council are *[for example: desk, chair, computer, telephone, etc]*.

Signed *[by both parties and dated]*

Part 1 - General

(Check box by using space bar or left click)

1.	SPACE	Yes	No
	(a) Is your work area a separate facility at the home working address?	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Is there sufficient space (at least 25sq. feet) in the work area you are currently/ proposing to use for home working, with enough storage?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) Is your home working area accessed by loft ladder?	<input type="checkbox"/>	<input type="checkbox"/>
2.	FLOORS		
	Are the floors/floor coverings in the area where your workstation is located, and the access routes to it, sound and free from tripping hazards such as rucks, tears, holes, trailing wires/cables, stored materials etc?	<input type="checkbox"/>	<input type="checkbox"/>
3.	LIGHTING		
	(a) Is there adequate lighting for all your workstation / work area tasks? Where possible, good natural lighting is preferable.	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Is your access route to your work area sufficiently well lit to enable you to see any potential slipping or tripping hazards?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) If necessary, have you got task lighting such as a desk lamp?	<input type="checkbox"/>	<input type="checkbox"/>
4	VENTILATION		
	Is your work area adequately ventilated to enable a supply of fresh air to circulate your work area?	<input type="checkbox"/>	<input type="checkbox"/>
5	NOISE		
	Are you distracted by noise from work equipment? NB The type of equipment used by home workers is unlikely to cause a noise hazard. If you have difficulty hearing someone speak to you over a distance of two metres when your equipment is running, then you should draw this to the attention of your line manager.	<input type="checkbox"/>	<input type="checkbox"/>
6	TEMPERATURE		
	Is the temperature of your work area maintained at a comfortable level? NB Generally speaking, people undertaking sedentary type work feel most comfortable in the temperature range 19 – 23 degrees centigrade.	<input type="checkbox"/>	<input type="checkbox"/>
7	EQUIPMENT		
	Is any non-electrical equipment or tools you may use in a state of good repair and is it secure and stable (e.g. shelves, cupboards, cabinets)?	<input type="checkbox"/>	<input type="checkbox"/>
8	FIRE RISK		
	If a fire should break out affecting your workstation or work area, have you considered an alternative route out should your normal exit be blocked?	<input type="checkbox"/>	<input type="checkbox"/>
9	ELECTRICAL EQUIPMENT	Yes	No
	(a) If you have installed your own DSE equipment, have you followed the manufacturer's instructions regarding assembly and connection of	<input type="checkbox"/>	<input type="checkbox"/>

	equipment?	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Are any wires or cables safely tucked out of the way, for example, under a desk or table to prevent tripping accidents?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) Are electrical leads/connections free from obvious signs of damage and/or wear?	<input type="checkbox"/>	<input type="checkbox"/>
	(d) Are there sufficient plug sockets to accommodate all leads without the need for adaptors?	<input type="checkbox"/>	<input type="checkbox"/>
	(e) Has the Council provided any electrical equipment for home working purposes?	<input type="checkbox"/>	<input type="checkbox"/>
	(f) If you have answered 'yes' to (e) above, have you been told about the arrangements for inspection and testing?	<input type="checkbox"/>	<input type="checkbox"/>
10	HANDLING LOADS		
	Does your home working task require any significant heavy lifting of materials or equipment from one level to another, up or down stairs or over long distances or involve excessive bending, twisting or stooping? If 'yes', it may be necessary for a separate manual handling risk assessment to be carried out.	<input type="checkbox"/>	<input type="checkbox"/>
11	SUBSTANCES HAZARDOUS TO HEALTH		
	It is highly unlikely that any home worker will be dealing with, or using in sufficient quantities, any substances, materials or chemicals that are hazardous to health or safety. If yes, please indicate below what products or substances you use in relation to your home working task.	<input type="checkbox"/>	<input type="checkbox"/>
12	VISITORS / CHILDREN		
	(a) Is your home working area segregated from more general areas where other people / children may circulate / congregate?	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Do you have an effective strategy for separating young children from your work area whilst you are working?	<input type="checkbox"/>	<input type="checkbox"/>
13	FIRST AID		
	Have you been made aware of the first aid arrangements for your home working task?	<input type="checkbox"/>	<input type="checkbox"/>
14	REPORTING ACCIDENTS AND INJURIES		
	(a) Do you know the procedure for reporting accidents that arise out of or in connection with your home working task?	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Are you a new or expectant mother?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) If no, are you aware that you should inform your line manager if your circumstances change?	<input type="checkbox"/>	<input type="checkbox"/>
15	COMMUNICATION / CONSULTATION	Yes	No

	(a) Are you able to contact your line manager / colleagues easily and quickly in the event of problems / queries arising from your home working task?	<input type="checkbox"/>	<input type="checkbox"/>
	(b) Is your home working address included on the circulation list for information bulletins / newsletters etc?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) Does the nature of your home working task enable you to keep in touch with 'the office' e.g. through personal visits?	<input type="checkbox"/>	<input type="checkbox"/>
	(d) Has your line manager discussed with you the problems and pitfalls of home working, as well as the advantages?	<input type="checkbox"/>	<input type="checkbox"/>
16	PERSONAL SECURITY		
	(a) Have you any concerns regarding your personal safety / security if you are working alone at your home working address?	<input type="checkbox"/>	<input type="checkbox"/>

PART 2: HAZARD CHECKLIST

17	DISPLAY SCREEN EQUIPMENT (DSE)	Yes	No
	(a) Do you use fixed display screen or, (b) A laptop computer for the bulk of your home working? NB Laptops are generally not suitable for prolonged frequent use.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
18	DSE 'USERS' – EYE TESTS		
	(a) Have you been designated as a DSE 'user' by your line manager? NB The Council defines a DSE 'user' as someone who uses DSE for one third or more of their time for a continuous period of one month. (b) If you have been designated as a DSE 'user' has your home working workstation been the subject of a separate DSE Risk Assessment. Discuss with your line manager. (c) If you have been designated as a DSE 'user', have you been made aware of your entitlements to free eye and eyesight tests and a contribution towards the cost of a basic pair of spectacles for use with display screen work if required? (d) Have you been made aware of the procedure for obtaining your entitlement to the above?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
19	REFLECTION AND GLARE	Yes	No
	(a) If you are using a VDU, do you get distracting reflections or glare on the screen from windows / light fittings? Have you been given information about how to set up or adjust your workstation to eliminate / reduce reflections and glare?	<input type="checkbox"/>	<input type="checkbox"/>
20	MONITOR		

	(a) Can you/do you know how: (i) To adjust the brightness and contrast of your screen? (ii) Tilt and swivel the screen? (b) Is the screen at a height that is comfortable for you? (c) Is the screen image clear and free from flicker? (d) Are you able to take a 'natural' break free from the screen at least once every hour (e.g. to answer the phone or do some paperwork)? (e) Have you got a screen cleaning kit? (f) Have you been given instructions about its use? (g) Have you been told how to get replacement supplies? (h) Have you been shown how to check for electrical hazards? e.g. damaged sockets and plugs, worn or improperly connected leads or cables, etc. (i) Are cables from your workstation kept tidy and prevented from trailing across the access to your workplace or other areas that you need to access?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
21	FURNITURE – CHAIR AND WORK SURFACES		
	(a) Can you easily adjust the height of the seat of your chair and the height and angle of the backrest? (b) Is the chair you use in a good state of repair? (c) If your chair has arms, do they get in the way of achieving a comfortable sitting position whilst at your workstation? (d) When sitting in your chair when it is correctly adjusted, can you touch the floor or footrest if you have one with your feet? (e) Is your desk /work surface in a good state of repair and of adequate size for your home working task? (f) Is there room under your work surface to adjust your seating position and maintain a comfortable posture? (g) Is your desk work surface large enough to allow you to place all your work equipment where you want it and still allow enough room for working? (h) Does your desk have a non-reflective work surface? (i) If necessary, do you have a document holder?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
22	KEYBOARD	Yes	No
	(a) Do you know how to adjust the height of your keyboard? (b) Are the key characters legible? (c) Is there enough space for you to position your keyboard comfortably, with room in front of the keyboard to rest your hands during keying pauses?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
23	SOFTWARE		
	(a) Have you been shown how to use the software relevant to your home working job? (b) Do you have access to assistance should a problem arise with your	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

	software application?	<input type="checkbox"/>	<input type="checkbox"/>
	(c) Have you been shown how to use any other equipment that makes up your workstation i.e. modem, document stand etc?	<input type="checkbox"/>	<input type="checkbox"/>
24	HEALTH		
	If you experience recurrent discomfort / pain in the neck, back, arms, or hands, or eye strain or headaches have you been advised to draw these to the attention of your line manager?	<input type="checkbox"/>	<input type="checkbox"/>

To be completed by individual

Signed

Date

To be completed by the home worker employee's line manager.

I have checked the responses to this home working hazard checklist. The following action(s) will need to be taken to reduce/eliminate any identified risks and/or comply with health and safety legislation

Signed

Date

Copy to be given to and discussed with the employee. Original to be retained by line manager.

Date when this assessment will be reviewed:

REPORT



REPORT OF	MEETING	DATE	ITEM NO
BUILT ENVIRONMENT MANAGER	POLICY AND SERVICE REVIEW COMMUNITY FORUM	7 TH JULY 2005	6

INTRODUCTION AND OPERATION OF HIGH HEDGES LEGISLATION UNDER PART 8 OF THE ANTI-SOCIAL BEHAVIOUR ACT 2003

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

On 1st June 2005, legislation was introduced to allow councils to deal with complaints regarding high hedges, provided the complainant has exhausted all other avenues (short of civil proceedings) to resolve their dispute. The legislation allows local authorities to charge for this service, but stops short of prescribing an appropriate fee.

This report seeks to establish a fee of £450, in common with neighbouring authorities, which would be reviewed after 12 months of operation of the system.

The report also seeks authority to determine any high hedge applications under the approved scheme of delegation.

Recommendation/s

1. that the standard fee for handling a high hedges complaint be set at £450 for the current financial year;
2. that there be no concessionary fees for persons on low incomes
3. that the fee levels be reviewed after 12 months of operation when more information is available on the actual costs incurred and the demands made on the service.

- | |
|--|
| 4. To recommend to the Full Council that applications be determined by the Manager of the Built Environment Unit under delegated powers. |
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Executive brief

The item falls within the following executive brief: Environment: (Cllr Alfred Jealous)

Report

1. Introduction

- 1.1 Part 8 of the Anti-social Behaviour Act 2003, which gives councils the power to deal with complaints about high hedges, came into operation on 1 June 2005.
- 1.2 From that date, people will be able to take their complaint to their local Council, provided they have tried and exhausted all other avenues for resolving their hedge dispute.
- 1.3 The role of the Council is not to mediate or negotiate between the complainant and the hedge owner, but to adjudicate on whether the hedge is adversely affecting the complainant's reasonable enjoyment of their property. In doing so, the authority must take account of all relevant factors and strike a balance between the competing interests of the complainant and the hedge owner, as well as the interests of the wider community.
- 1.4 If they consider the circumstances justify it, the Council will issue a formal notice to the hedge owner which would set out what they must do to the hedge to remedy the problem and when by.
- 1.5 Failure to carry out the works required is an offence which, on prosecution, could lead to a fine of up to £1,000. The Council also has the power to carry out the required works in default of the hedge owner and recover their costs.
- 1.6 The Government has decided not to exercise its power to set the maximum fee that councils can charge for dealing with high hedge complaints, leaving the Council to decide the appropriate fee structure. The complainant must pay these fees.

2. Proposals

- 2.1 Members will be aware that the High Hedges legislation was introduced after several high profile and long-running disputes between neighbours were reported by the national media. It was clear that options available to complainants to resolve their problems involved complex, expensive and lengthy procedures through the civil courts.
- 2.2 As this is newly introduced legislation, it is difficult at this stage to estimate accurately how much it will cost to provide the high hedges service. The number of potential complaints is unknown at this stage, but could be very extensive, particularly at first. The Council will be dealing with situations where there is already a history of dispute about a hedge. Experience indicates that dealing with such complaints will be difficult and will potentially demand large amounts of staff time.
- 2.3 The service will involve all of the following stages:
 - responding to requests for information from the public by telephone, letter and in person;

- checking the validity of formal complaints;
- notifying interested parties of complaints;
- considering the details of complaints;
- arranging and carrying out site visits at complainants' and neighbours' properties;
- determining complaints;
- serving notices;
- advising interested parties of decisions;
- responding to appeals **from either party** to a disputed hedge;
- checking on site whether remedial notices have been complied with;
- taking administrative and legal steps to secure compliance with remedial notices;
- processing prosecutions;
- responding to further complaints that remedial notices which require regular pruning of hedges have not been complied with.

2.4 The nature of the process will require the Council to continue to respond to requests for information and informal complaints about a particular hedge long after the initial formal complaint has been dealt with. No additional fee can be charged for these requests.

2.5 Provision of this service will require staff with a range of skills including:

- administrative staff;
- technical and professional planning staff;
- enforcement officers;
- legal executives and lawyers

It may be necessary to seek expert advice from external sources in order to deal with certain applications.

2.6 It will not simply be a case of making a decision on a complaint. The process will be much more demanding and require careful consideration and management in order to be effective and efficient.

3. Estimated Costs

3.1 Government estimates of the net costs of processing a formal high hedge complaint range from a minimum of £420 to a maximum of £515. However, these figures are speculative at this point in time and do not include the added costs of dealing with informal enquiries that do not lead to formal complaints.

3.2 In setting the fee levels, Members will wish to consider:

- what proportion of the costs of providing the service should be paid by complainants via the fee;
- what proportion should be paid by Council Tax payers;
- whether there should be concessionary fees for those complainants on low incomes.

4 Proposed Fee Level

- 4.1 The appropriate fee level has been discussed at the Lancashire Development Control Officer's Group. Many authorities have yet to formally decide on what the fee should be, but £500 is the expected level which will be generally adopted. Wyre & Blackpool Borough Council's are expected to set a fee of £450. Whilst these figures may seem expensive for householders, Members should be aware that the current alternative of pursuing a hedge dispute through the civil courts is likely to be much more expensive.
- 4.2 It is therefore proposed that £450 is set as the standard fee for handling a high hedges complaint, in order to ensure that a standard fee is set across the Fylde Peninsula. It is proposed that, after 12 months of operation of the procedure, the fee should be reviewed and that the review should include an assessment of what proportion of actual costs are covered by the fee.

5 Concessionary Fees

- 5.1 The Council's commitment to equality and diversity requires that when new services or policies are introduced, consideration should be given to how they will impact on particular groups of people. In this case, the main issue is likely to be how access to the service may be restricted by the adopted fee level. This will impact particularly on those people on low incomes.
- 5.2 In order to assist those people to use the service, Members may wish to consider a reduction in the fee for those who receive: housing benefits and/or Council Tax benefit.
- 5.3 Offering concessionary fees on this basis will be an effective and efficient way of assisting those on low incomes without requiring further means testing. However, any concessions will mean that a greater proportion of overall costs for running the service will be paid by all Council Tax payers.
- 5.4 Given the likely costs to the local authority of operating the high hedges legislation and the high costs of seeking resolution of a high hedge dispute through civil proceedings, Members are recommended that no discount be offered to people on low incomes at this time. As mentioned above, there will be an opportunity to review the introduction of concessionary fees once the service has been in operation for 12 months.

6 Operational Matters and Delegation

- 6.1 Although this legislation was introduced under the Anti-social Behaviour Act 2003, it is intended that complaints regarding High Hedges be dealt with by the Built Environment Unit, as any subsequent appeals will be dealt with by the Planning Inspectorate. Applications will be considered against set criteria in order to assess the impact of the hedge on neighbouring occupiers. As the key issue to be determined will be similar to the determination of householder planning applications, it is

considered appropriate for any applications to be determined under the approved scheme of delegation.

7 Conclusions and Recommendations

7.1 The introduction of controls over high hedges will not be funded by Central Government. Handling of complaints is likely to be a complex and expensive process, which will have to be financed by those making complaints. It is for Members for decide an appropriate fee. Accordingly members are recommended:

- i. that the standard fee for handling a high hedges complaint be set at £450 for the current financial year;
- ii. that there be no concessionary fees for persons on low incomes
- iii. that the fee levels be reviewed after 12 months of operation when more information is available on the actual costs incurred and the demands made on the service.
- iv. To recommend to the Full Council that applications be determined by the Manager of the Built Environment Unit under delegated powers.

IMPLICATIONS	
Finance	Failure to set a fee at an appropriate level will add a financial burden to existing budgets. In setting the fee Members must be aware of the complexities of the system, that as both parties have a right of appeal and that there will be a commitment to ongoing monitoring if a remedial notice is served.
Legal	Implementation of these provisions satisfies the obligations placed on the Council by part 8 of the ASB Act 2004
Community Safety	Implementation of these provisions will provide additional powers for the Council to deal with issues regarded as anti-social behaviour.
Human Rights and Equalities	The fee proposed will allow resolution of disputes at a lower cost than civil proceedings required prior to the introduction of this legislation. The introduction of concessionary fees would be reviewed after 12 months of operation of the system.
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Mark Evans Development Control Manager	(01253) 658460	June 2005	DC8/8

LIST OF BACKGROUND PAPERS

NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Anti-social Behaviour Act 2003 Part 8	1 June 2005	St Annes Town Hall, St Annes, FY8 1LW
Further information is available at the ODPM Website.		www.odpm.gov.uk/stellent/groups/odpm_urbanpolicy/documents/divisionhomepage/037452.hcsp T