



Havebury Housing Partnership

FENCING POLICY

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Equality & Diversity Impact Assessment	

1. Responsibility

Operational Board is responsible for approval and oversight and the Head of Assets and delegated staff are responsible for delivery.

2. Definitions

N/A

3. Aims and Objectives

- 3.1 The Policy sets out the criteria so that tenants can be clear as to when Havebury Housing Partnership will provide or replace fencing gardens boundaries of its homes.
- 3.2 The guiding principle of the Policy is that whilst all boundaries of HHP land will be marked out, a new fence will only be provided, or an existing fence replaced where it meets the criteria detailed in this policy. There is no legal requirement for Havebury to securely fence gardens to ensure that children or pets etc. cannot escape.

4. Policy Statement

- 4.1 A fence will only be provided to the boundaries of a rear garden of a property, unless the only available garden area is at the front of the property.
- 4.2 An existing boundary fence or wall will be replaced using the most cost effective solution appropriate to the location and taking into account the criteria set out in this Policy
- 4.3 Where it can be established that the legal responsibility for maintaining a boundary lies with the adjoining landowner, every effort will be made to ensure they fulfil their legal responsibility. However, this can be difficult to enforce and Havebury would not normally replace a fence owned by a third party unless there is a safety or security issue as defined in this Policy.
- 4.4 A new or replacement fence will only be provided where one or more of the following criteria apply:
 - A public right of way or land with public access is immediately adjacent to the property
 - At the rear or side of a garden which adjoins land in another organisations or individual's ownership

- There is a significant hazard such as a stream, pond or other water body, or a severe drop in ground level at the edge of the property
- The provision of a fence would prevent people on a footpath or other land with public access looking directly into the living spaces at the rear of a property. **(In properties adjacent to one another one 6ft larch lap privacy panel will provided on the boundary and attached to the property.)**
- The provision of a fence would in the opinion of the relevant Senior Manager reduce or help to prevent anti-social behaviour affecting a particular property or group of properties
- Where after an appropriate assessment, Havebury is providing or renewing fencing as part of an estate or neighbourhood enhancement scheme.
- Where there is a legal requirement to erect a fence.

4.5 An existing fence will only be repaired or replaced where one or more of the following criteria are met.

- Existing fences will only be replaced where the above criteria set out in 4.4 above are met.
- Existing fences that do not meet the above criteria will only be repaired where the cost does not exceed £750, otherwise the fence will be removed and the boundary marked out.
- Replacement fencing will be as set out in 4.6 below, however account will be taken of other fencing in the vicinity and similar fencing used when this is appropriate and practical.

4.6 Havebury will normally provide the following types of fencing:

- 6ft chain link for external boundaries to meet safety or security issues
- 3ft chain link on boundaries between land owned by Havebury and a private organisation or individual and for all garden boundaries, with one 6ft larch lap privacy panel fixed to the property.
- 6ft close boarded panels for external boundaries at the rear of a garden directly adjoining land with public access (i.e. playing field, footpath, road or car park) where there are significant privacy as well as safety and security issues

4.7 If a tenant or owner occupier wishes to upgrade from the type of fence provided under this Policy, this will be at their own expense and to be

arranged by them once Havebury has granted consent in line with the Permissions Policy.

- 4.8 If a dividing boundary fence is either owned by a private individual or organisation, Havebury will make every effort to ensure that the owner of the fence fulfils their legal responsibility. However this can be difficult to enforce and no replacement works will be undertaken until agreement has been reached with the owner of the fence on payment.
- 4.9 In exceptional circumstances, where there is a safety or security issue as defined by this Policy, repairs or replacement will be undertaken on a fence owned by a third party as Havebury deems necessary.

5. Legislation and Regulation

There is no legislation requiring Havebury to provide garden fences. Under the HCA Homes Standard, Havebury is expected to have a clear Policy setting out the service it provides.

6. Service Standards

Planned Maintenance Response Times:

- Dangerous or insecure fences will be made safe as soon as practically possible, usually within 48 hours.
- Routine repairs within 6 months
- Replacement within 12 months

7. List of related internal documents (including procedures relating to the Policy)

Policy HS 038 - Property Alteration & Improvements by Tenants
Policy HS016 - Repairs & Maintenance