

# Appendix One - Fencing Policy

Stevenage Borough Council 2024



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<b>Author</b>	Asset Management Co-ordinator
<b>Business Unit and Team</b>	Building Safety and Housing Property Services – Repairs and Maintenance
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## 1. Purpose

### 1.1 What is the policy position?

This policy forms part of the Responsive Repairs and Maintenance Policy and the councils approach to managing repairs. Stevenage Borough Council (SBC) seeks to standardise the specifications of all types of fencing work SBC will undertake within its housing stock.

SBC understand fencing is a high priority for our tenants, many of whom are unsure about who is responsible for erecting, replacing, and maintaining boundary and garden fences, and have concerns around security of their properties.

### 1.2 What does it aim to achieve?

The aim of this document is:

- to set out the service priorities regarding fencing repairs to the Council’s housing stock;
- to meet customer expectations in line with published service standards and timeframes and achieve an agreed level of customer satisfaction;
- to use available budgets effectively and efficiently in the delivery the service.

This document serves to provide clear guidance to all the councils stakeholders when SBC will erect a new fence, replace, repair or maintain an existing fence.

This guidance document forms part of and should be read in conjunction with the Responsive Repairs and Maintenance Policy.

## 2. Policy

### Responsibilities

SBC is responsible for providing boundary markers, fences and/or walls to their properties and the council will maintain all the boundaries to the property that the council is responsible for. The repair or renewal of the fencing or other boundary markers may not include a like-for-like replacement.

If the neighbour is an owner occupier, then any repairs or renewal to the dividing boundary marker may be their responsibility. If after an initial GIS check a conclusion cannot be made, only then the case will be referred to Resident and Estates Services to confirm the ownership of the fence or boundary marker.

### Priorities and timescales

<b>Emergency fence repair or replacement</b>	Only where significant health and safety risk	24 hours
<b>Small fence repair</b>	Only boundary fence with a public road or footpath	Routine - 20 working days
<b>Fencing replacement</b>	As per provision standards below	Planned programme of works

### Day to Day Fencing Repairs

Small fencing repairs will continue to be carried out as a part of the Council's Repairs & Maintenance service. This work will be generally restricted to small repairs and includes attending to single broken fence posts, or urgent work to make fences safe.

Where there is already a fence in place, the council would seek to carry out any repairs which fall within the following definition: replacing three posts and two panels, including small gate repairs. The council would look to match the existing whatever that is (wooden, chain link, concrete).

Where not deemed to be a repair, and replacement is needed this will be assessed in accordance with the criteria below. Where possible, replacement fencing would be delivered through a planned programme of works.

### Replacement Fences

The council will provide fencing where there is a public right of way adjacent to the boundary, where the garden adjoins land in another organisation's or individual's ownership, where there is a hazard

such as a stream or change in levels at the edge of the property, or where the provision of the fence would prevent people from looking into the lounge and or kitchen.

Tenants may erect their own fence (within the boundary without causing damage to the landlord's boundary markings) provided they seek permission in compliance with the SBC Consent for Alteration or Improvement procedure. No improvements, additions or structural alterations should be made to the property without first getting SBC's written permission:

<https://www.stevenage.gov.uk/housing/council-housing/home-alterations/residential-property-alterations-and-improvements-procedure>

If tenants choose to erect their own fence, they maintain sole responsibility for maintaining their fence. When the property is vacated, the tenant has the option to remove the fence or gift it to the incoming tenant. Should the tenant decide to remove the fence, this must be replaced with the existing provisions they had when they moved in.

## Provision Standards

Area	Type of Fencing	Picture reference
Houses and Flats – Front Garden		
Boundary fence / marker between properties	The council will replace with a boundary marker if one is already in situ.	Picture 1
Boundary fence adjoining public highway/footpath or if the front garden is their only garden	The council will replace with 900mm high chain link fencing	Picture 1
Houses and Flats – Back Garden		
Boundary marker fences (side and rear)	2m x 1.8m high privacy panel (along boundary with adjoining house) with concrete posts. Elsewhere to be continued with 900mm high chain-link fence with concrete posts	Picture 2 and Picture 1
Boundary fence adjoining public highway/footpath	Generally, 1.8m high fencing with suitable posts but may be 900mm high to suit circumstances and adjoining boundary conditions	Picture 2
Communal Areas		
Parking Areas & Landscaped Areas	Not covered in this policy	
Recycling bin store	1.8m high fencing	Picture 2
Drying area	1.8m high fencing	Picture 2
Alleys and public access passageways	1.8m high fencing	Picture 2

## Illustration of fencing styles

**Picture 1 - Chain Link Fencing**



**Picture 2 - 1.8m Panel Fencing with Concrete Post**



## Health and Safety

If a tenant allows a dog into the garden, then it is their responsibility to ensure that it does not escape. If a dog is loose in the garden, then the tenant must ensure that the whole garden is securely fenced, whether or not the boundary forms part of their home. In accordance with their tenancy agreement, it is the sole responsibility of the tenant to safely and responsibly manage their pets.

SBC will ensure that all works are undertaken in a manner that complies with health and safety legislation, relevant guidance and good practice in the interests of the councils tenants, operatives and contractors.

The Council will implement appropriate systems to ensure that contractors and any sub-contractor they appoint to carry out works on their behalf are suitably qualified, informed and equipped to deal safely with works that they undertake.

As per the tenancy agreement it is the responsibility of the tenant to inform SBC if the fencing needs repairing or made safe.

To ensure that standards of health, safety and employee and resident welfare are met, the Repairs and Maintenance service and its contractors comply with all relevant legislation, codes of practice, guidance notes and the Council's own Health and Safety Management Framework.

## 3. Consultation

Consultation on this policy is included as part of the consultation exercise carried out for the overarching Responsive Repairs and Maintenance Policy.

## 4. Monitoring and Review

The Assistant Director for Building Safety and Housing Property Services has overall responsibility for the policy and for ensuring it is fully implemented and operating effectively.

The Head of Repairs and Maintenance is responsible for:

- the effective implementation and delivery of the policy;
- monitoring performance and delivery;
- developing processes and procedures in line with the policy;

The Head of Housing Asset Management is responsible for:

- reviewing the policy;
- ensuring that the policy aims and terms are adhered to.

This policy will be reviewed by the Head of Housing Asset Management every 2 years or earlier if there is a change in any relevant legislation and/or regulatory standards. Where more than 10% of the policy content is changed the Assistant Director and appropriate Portfolio Holder will be required to decide if the policy needs to be formally reconsidered by the Cabinet or appropriate decision-making body.

Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Assistant Director will be notified. If the Assistant Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Housing Asset Management will be responsible for implementing a subsequent policy review.

## 5. References and Resources

This policy should be read in conjunction with the following documents:

Internal	External
<ul style="list-style-type: none"><li>• Responsive Repairs and Maintenance Policy</li><li>• Tenancy and Tenancy Agreement Conditions</li><li>• Housing Asset Management Strategy</li><li>• Equalities and Diversity Policy</li><li>• Reasonable Adjustments Policy</li><li>• Residential Property Alterations and Improvements Procedure</li></ul>	<ul style="list-style-type: none"><li>• Landlord and Tenant Act 1985</li><li>• Housing Act 2004</li><li>• Defective Premises Act 1972</li><li>• Environmental Protection Act 1990</li><li>• Social Housing (Regulation) Act 2023</li><li>• Public Sector Equality Duty (PSED)</li><li>• Equality Act 2010</li><li>• <a href="#">Housing disrepair legal obligations: good practice guidance – Ministry of Housing, Communities &amp; Local Government</a></li></ul>

## 6. Abbreviations and Definitions

Boundary marker: a physical marker that identifies the start of a boundary.

Boundary Fences: the fencing around the edge of the property which separates the garden from public areas.

EDI: Equality, Diversity and Inclusion

GDPR: General Data Protection Regulation

Main Road: A road where the speed limit is 30mph or more.

Party Fences: the fence that separates a garden from the neighbour's garden.

Property fronts directly to a main road: 'directly' means there is no grassed area or parking area between the pavement and the road.

PSED: Public Sector Equality Duty

SBC: Stevenage Brough Council

## 7. Version History

Date	Outlined Amendments	Author
May 2024	Policy Development	Ana Hetherington

