



## **POLICY DOCUMENT**

**Group Member:** Progress Housing Group

**Service Area:** Property Services

**Document Ref No:** GRPOLPS10

**Subject Title:** Fencing Policy

**Version:** 4

**Effective Date:** 01/10/2014

**Last Reviewed:** 25/09/2023

**Next Review Date:** 01/09/2026

**Document Owner:** Head of Maintenance

**25/09/2023**

**04/09/2020**

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## 1. Introduction

This document is intended to provide clarity as to Progress Housing Group's (referred to as the Group) responsibility for carrying out repairs and replacement to the boundary fencing of our homes.

## 2. Scope of the policy

- 2.1 This policy applies to all properties owned by the Group, including general needs, independent living, supported living and Key/refuge.
- 2.2 Lilac, Progress Living and Concert Homes properties have a separate agreement with their customers.
- 2.3 Although this document relates to fencing specifically, should the boundary structure be a wall, then consideration needs to be given as to whether the Party Wall Act 1996 is to apply before any works are undertaken (other than emergency works). Should the boundary fence be hedgerows then a similar approach to fencing will be taken.

## 3. Responsibility

- 3.1 Customer Contact Centre – On receipt of a call or request from a tenant/customer regarding fencing repairs, we will ascertain who has repairing responsibility from the tenancy agreement or other documents (requesting guidance from the Legal team where necessary), offer advice as to Match Funding if appropriate, request inspections be undertaken by Property Services and raise works orders as necessary.
- 3.2 The Group's Legal Team – Upon receipt of an internal request, will be responsible for providing legal guidance to other teams within the Group in connection with boundary maintenance responsibilities.
- 3.3 Housing Operations – Area teams are responsible for the general case management of fencing maintenance, repair or replacement requests regarding the Group's general needs and independent living properties. Responsible for assessing and responding to

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requests received from tenants asking for new fencing to be erected within communal areas.

- 3.4 Property Services – Undertake inspection requests in a timely manner and report findings to both the tenant/customer as well as to the relevant area housing team in relation to any requests that they may have been made for inspections.
- 3.5 Reside with Progress (RWP) and Property Services Teams – Responsible for the general case management of fencing maintenance, repair or replacement requested by the Group’s supported living properties.
- 3.6 Leaseholder and Service Charge and Property Services Teams – Responsible for general case management of fencing maintenance, repair or replacement requests regarding leasehold and Shared Ownership properties.
- 3.7 All operations Teams – Responsible for reporting any repair issues associated with fencing in a timely manner and ensuring that any information received is stored in both Documotive and on QLx.

#### 4. Policy

- 4.1 The aim of the Group is to ensure that our neighbourhoods are well maintained and our homes are safe for our tenants/customers
- 4.2 We aim to ensure that we deliver value for money in providing our repairs services and it is important we consider obligations and responsibilities of others to contribute to or meet the costs of works needed.
- 4.3 Unless the responsibility for a fence is clearly defined within the registered title deed, fences will be treated as shared between the two properties.
- 4.4 The Group will:
  - 4.4.1 Carry out repairs and replacement of fencing where we are legally obliged to and meet all statutory requirements that provide for the health and safety of residents.
  - 4.4.2 Provide guidance to tenants and residents where it is their responsibility to carry out works.
  - 4.4.3 Provide guidance to private occupiers who share a boundary with a property owned by the Group and co-operate in reaching agreements about liability and cost.

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- 4.4.4 Ensure that all boundaries are safe and maintained where the fence borders a highway, public footpath, or communal land owned by the Group, including gates.
- 4.4.5 Ensure that tenants and leaseholders comply with their contractual obligations, in line with their tenancy agreement or lease.
- 4.4.6 Provide advice and reasonable adjustments to tenants that are unable to maintain their fencing, including details of any funding or grants available.
- 4.4.7 Consult with leaseholders where the cost of works require a section 20 consultation.
- 4.4.8 Replace boundary fencing to void properties in line with the Lettable Standard. Costs may be recharged to the out-going tenant.
- 4.5 Tenants/leaseholders will:
  - 4.5.1 Meet repairing obligations as defined in their tenancy agreement, lease or title deed.
  - 4.5.2 Seek permission from the Group, where required, should they wish to install new fencing, providing any information requested by the Group to allow permission to be considered.
  - 4.5.3 Pay the costs of any recharged or contributions where requested in advance by the Group.
  - 4.5.4 Ensure that any other permissions are sought, such as planning consent, approval from neighbours where the boundary is shared.
  - 4.5.5 Ensure that the fencing is repaired to the specification provided by the Group.
- 4.6 Where there are specific health and safety concerns, the Group will consider undertaking the works themselves, regardless of responsibility, and recharging those responsible for the work where possible.
- 4.7 Where the works are a result of tenant negligence or damage, the Group may recharge the tenant for the cost of the work carried out, in line with the Rechargeable Repairs Procedure.

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## 5. Implementation

Heads of Service will ensure that training is rolled out to all colleagues involved in this management and implementation of this Policy.

## 6. Consultation

This policy has been produced in line with legal obligations and expectations and was agreed by tenants when it was initially introduced three years ago. As there is no change to this Policy since it was implemented, it is felt that there would be no value in seeking further tenant consultation at this stage. Consultation will however be undertaken as and when required in relation to specific scheme improvements.

## 7. Review

This Policy will be reviewed every three years and/or in line with any changes in legislation.

## 8. Equality impact assessment

An Equality Impact Assessment has been completed in relation to this Policy.