



MAINTENANCE RESPONSIBILITIES

FENCING & BOUNDARIES

Document history

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1.1 Property boundary treatments – key points

This policy is for the purposes of clarifying the NDH approach to fencing. We want to be able to apply a consistent message for the benefit of all customers.

There is only a legal obligation to put a fence up in certain conditions. The most common are if you live next to a railway, if you need to prevent livestock from leaving their fields and if your deeds require you to.

However, there are a lot of good reasons to put fencing around your property – safety and security are the big ones. A well-installed, good-quality fence will help keep things in (children and pets) and other things out such as unwelcome guests or animals.

In addition, good-quality, properly installed fencing (and gates) can make your property more attractive and significantly enhance gardens.

1.2 Tenancy Agreement – Tenant responsibilities regarding boundaries and gardens

The tenancy agreement is clear on the below matters:

Gardens

1) Gardens to be tidy.

Tenants enjoy the use of gardens provided with the properties and it is their responsibility to ensure they are maintained, free from hazards, and not causing nuisance.

2) No sheds, garages, ponds or greenhouses without permission.

Any changes to gardens, buildings' in them, patio's, garden structures etc are possible in certain situations but we will require the details through the permissions process.

3) Maintain boundaries including walls, hedging and fencing.

Tenants are responsible for renewing; repairing and maintaining boundaries for their purposes (see 1.3 fencing guidelines).

4) Permission needed for caravans, trailers or boats.

Storage of vehicles, caravans, trailers or boats requires permission, whether on a driveway or estate road. No storage of any vehicle is usually allowed on garden space.

1.3 Fencing guidelines

General rules which will be applied:

- No taller than 6ft in rear garden.
- Timber fencing (see 1.4) is preferred.
- Shared boundaries require both neighbours to agree the style or repair and equally share the costs. (Unless one side is privately owned). There is no requirement for a fence to be present as long as the line of the boundary is marked. If a customer requires a fence to

contain pets for example and cannot agree with the neighbour, then they should proceed with their own fence.

- Where a boundary is posing an immediate hazard then NDH need to be informed and we can take action to make safe.
- Fences are often not allowed in front gardens and will depend on local restrictions. Front garden fences would be restricted to a max 4ft height.

What fencing am I responsible for?

This must be the boundary-related question we get asked the most.

Firstly, there is no general rule such as the fence to the left or to the right. In some occasions we may be able to draw lines of responsibility through checking of the deeds, particularly for when the neighbours are privately owned and NDH can check this information.

Importantly our tenants are responsible for boundaries as we have already established in the tenancy agreements, this includes repairing, renewing and maintaining them whether they are fences, hedges, or walls. This has been set out in handbooks since 2000.

For shared boundaries between properties these costs should be shared equally between the neighbours where both neighbours are NDH customers. All responsibility taken for the customer requiring the fence if an agreement cannot be found. Customers that need to contain pets will be expected to maintain fencing to contain pets where required and this will be set out in the approval for owning a pet.

What can I do if my neighbour's fence is falling down?

This is a common problem. There's nothing like damaged or broken fencing to strain neighbourly relations.

If you cannot agree to share the cost and labour equally then what you can do is to put up your own fencing alongside your neighbour's fence, or pop down to your local garden centre and pick up some free-standing plants or shrubs to hide the damage.

Remember, properly installing and maintaining your fence saves you money and avoids stress. Invest in and look after your fencing and you'll spend less on repairs and you're less likely to get into an argument with your neighbours over its condition.

What are the rules on the heights of fencing?

The maximum total fence height permissible is 6ft.

This is generally ok for shared boundaries and rear boundaries. For road fronting boundaries then planning regulations may dictate estate wide maximum heights or treatments which can be limited to much lower heights, as a general rule in these situations the estate 'norm' will be the starting benchmark and it is possible that the deeds will also contain information.

1.4 Caring for your fencing or boundary

Looking after your fence properly will help to keep it in a condition which will allow it to perform properly for many years. We would advise an annual check of its condition and some basic maintenance:

- To remove dirt you can power wash timber.
- Broken or split boards can be glued when dry or replaced individually.
- Wooden fence panels can be protected from the elements by using a fence paint or preservers.
- Decking oil can be used to treated fences as it helps to keep the timber water-resistant, and often contains UV filters which help to protect the panels.
- Wood preservers and decking oils come in clear or a wide range of colours so getting the desired look should be no problem. A good quality exterior wood oil stain will preserve this new layer of fresh wood and also help prolong the life of your fence.
- Fence stain delivers a hint of colour while keeping a natural wood look.
- For hedged boundaries these should be regularly trimmed so they remain appropriately sized. It is advised to cut them back in the winter when they are most dormant to maintain a healthy plant.

NDH may not replace sections of fences if early failure has been caused by a lack of routine maintenance, neglect or damage.

1.5 What Fencing is NDH is responsible for?

Some of our properties have boundary types other than fencing, such as hedging or masonry walls but they largely follow the same guidelines as set out in section 1.3. NDH will have a repairing obligation for structures required for safety or which form engineering solutions such as large retaining walls.

A new or replacement fence will usually only be provided where one or more of the following criteria apply:

- A garden which adjoins land in another organisations or individual's ownership and we have the responsibility to maintain as set out in the deeds.
- There is a significant hazard such as a stream, pond or other water, or a severe drop in ground level at the edge of 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, NDH is providing or renewing fencing as part of an estate or neighbourhood enhancement scheme.

For existing fences that do not meet the above criteria, NDH will only attend to carry out and make safe if the fence damage impacts on a public right of way or is causing a hazard.

1.6 Permissible fencing types

NDH will install as standard Hit and Miss fencing or Post and Rail (item 1 or 6 below). As these are the most durable and wind resistant. Other more decorative fences are permissible but may not last as long so therefore customers are free to choose what suits them.

	
1) Hit and Miss fencing	2) Fence panel, with or without trellis
	
3) Close board	4) Waney edge panel
	
5) Picket fencing	6) Post and rail fencing