



Mobility Scooter Policy

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1.0 Scope

This Policy sets out the guidelines for the storage and charging of tenant's mobility scooters in Council owned properties. This policy applies to all tenants and leaseholders of Broxtowe Borough Council.

2.0 Purpose

Broxtowe Borough Council recognises that the use of a mobility scooter can enhance the quality of life for many older or less mobile tenants, who otherwise may be limited in their ability to access common facilities provided in the premises and also access external facilities in the wider community.

Whilst we do not have a legal obligation to provide scooter storage there is a need to identify storage and charging solutions that support the safe use of mobility scooters whilst recognising that different solutions may be necessary in terms of building design, financial considerations and building use.

The policy aims to balance the needs of tenants to keep mobility scooters with the duty to maintain a safe environment for tenants particularly related to potential fire risks.

3.0 Aims and Objectives

The aim of this policy is to set out Broxtowe Borough Councils approach to managing the storage and charging of mobility scooters in council owned properties. The aims of the policy are:

- To ensure a consistent approach is taken to granting permission to keep a scooter on Council property.
- To protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors.
- To ensure the inclusion of mobility scooter storage is considered at all new build properties where appropriate.
- To ensure all new and existing tenants are aware before they purchase or lease a mobility scooter they must seek permission from the Council to ensure there is adequate storage and charging facilities available. This may also involve obtaining separate permission through the alterations and improvements policy.
- To encourage all residents to purchase adequate scooter insurance, have their scooter serviced annually and keep them in good working order.
- To make tenants aware of their responsibilities with regard to storage and use of mobility scooters.
- To ensure tenants are aware that they will be held liable for any injury or damage caused to the building or communal area as a result of incorrect storage or use of their scooter.

3.1 Defining mobility scooters

Mobility scooters are defined as an “invalid carriage” under the Use of Invalid Carriages on the Highways Regulations 1988 in which they are divided into three categories:

Class 1 Vehicles

Manually operated wheelchairs not electrically powered.

Class 2 Vehicles

Powered wheelchairs and mobility scooters for pedestrian routes and indoor use, that are limited to a maximum speed of 4mph. Class 2 vehicles are not allowed on the public highway.

Class 3 Vehicles

Powered vehicles and mobility scooters that are designed to travel up to 8mph and are used on roads/highways. Class 3 vehicles are not classed as motor vehicles but they are required to be licensed with the DVLA for road use and cannot be operated by anyone below the age of 14.

For the purpose of this policy, Class 1 vehicles are excluded.

4.0 Regulatory Code and Legal Framework

This Policy is set within the context of relevant legislation such as:

- Housing Act 1985
- The Housing Act 1989
- Equality Act 2010
- The Regulatory Reform Order (Fire) 2005
- Local Government Act 2000
- Human Rights Act 1998

4.1 Legislation

The Council is committed to meeting its duties under the Equality Act 2010. There is need to promote independence of residents and ensure equal access. Understanding and responding to the diverse individual needs of our tenants is fundamental. However, there will be a need to impose restrictions due to lack of storage facilities or potential breaches in health and safety regulations.

The regulatory Reform Order (Fire) 2005 imposes obligations on the Council as the responsible person for the common parts of the buildings to ensure that the emergency routes and exits are clear at all times in order to safeguard the safety of residents. If a communal hallway forms part of a designated means of escape from

the building in the event of a fire, it should be kept clear and unobstructed at all times.

This is supported by the tenancy agreement which states in Section 4 Your Obligations:

Vehicles:

Not to park any van (over 5.5 metres long), mobility scooter, caravan, motor home, boat, trailer, lorry, or similar vehicle anywhere at the Property, the Building or on the Estate without first getting our written consent.

Health and Safety:

To protect your and other residents' safety and security by:

- complying with any health and safety or fire instructions relating to the Building and/or Communal Areas;

That the members of your household or your visitors will not obstruct or keep or leave rubbish, dangerous materials or belongings which could constitute a health or fire safety risk in the Property or on any Communal Areas and/or on the Estate.

5.0 Policy Outline

5.1 Requesting permission to keep a mobility scooter

Permission to keep a mobility scooter must be made in writing and all tenants will need written permission to have a scooter stored within their property or a designated storage area.

Prospective tenants who have a mobility scooter will not automatically be given permission to keep it at their new property. They will need to seek permission upon their occupation by completing an application form to store/charge a mobility scooter.

If a tenant's request requires any additional provisions a separate permission request will need to be made in accordance with the alterations and improvement procedure.

We will not give permission to charge a mobility scooter using a temporary extension lead.

The number of requests to store/charge a mobility scooter at Independent Living Schemes will be recorded. The information can then be used to form part of the assessment to decide if designated storage area should be considered under a scheme improvement.

5.2 Storage and Charging

The charging of mobility scooters in communal areas, unless they are designated as scooter storage areas, is prohibited.

Charging:

Any electrical circuit used for charging a mobility scooter must have a consumer unit which is RCD protected. The electrical socket must be suitable for the charging to take place and conform to the with manufacturers instructions.

We will not give permission to run power to external sheds/units as the use of temporary extension leads and adaptors for charging mobility scooters should be avoided. (Section 7.3 RC59 Risk Control – Fire safety when charging electric vehicles.)

Storing/Charging inside a property with permission:

If no communal recharging facility is available a resident may be able to store and charge a small scooter inside their property but this is dependent on the property layout. The Council will consider the following factors in making a decision:

- How will the scooter get to the property?
- Is the door wide enough for a Scooter?
- Is the door level access?
- Is adequate storage space available within the property?
- Is there potential for the escape route to become impassable if the mobility scooter was involved in a fire?
- Designated storage space available?

To enable charging inside a resident's property, the consumer unit must be RCD protected. Any request to upgrade the consumer unit would be made in accordance with the alterations and improvement procedure and would specify for the work to be undertaken by a suitably qualified electrician and any work will be at the tenant's expense and be paid in advance.

To enable storage/charging within a property smoke detection may need to be upgraded to accommodate where a scooter is being stored and where the battery is being charged. Any permission granted to upgrade the smoke detection would specify for the work must be undertaken by the Councils nominated contractor and will be at the tenant's expense and paid in advance.

Permission will not unreasonably be refused if the tenant can store and charge the scooter within their property without hindering safe escape from the property.

If a tenant wishes to alter their property to provide safe storage, then permission must be requested in writing. Permission will be considered in accordance with the alterations and improvement procedure and any work will be at the tenant's expense and paid in advance.

In a manufactured scooter store unit:

This may be an option for residents in ground floor properties. Tenants must request separate permission in accordance with the alterations and improvements procedure in advance of purchasing any storage unit being positioned on Council land. Permission will not be given to run power to external sheds/units. If required, scooter batteries could be charged within the tenants own property.

It is recommended that any mobility scooter storage solution is sited at least 6m away from the building to reduce fire risk. (National Fire Chiefs Council (NFCC) Mobility Scooter Guidance for Residential Buildings)

Designated scooter storage/charging area:

In schemes with a designated charging facility, storage space will be limited and available on a first come first served basis. The Independent Living Coordinator will manage permission requests and priority will be given if a request is made on medical grounds with an Occupational Therapist recommendation or if the tenant is in receipt of the mobility element of Personal Independence Payment (PIP) or Disability Living Allowance (DLA). It will be the responsibility of the tenant to provide the Council with sufficient evidence to support their request for a space.

5.3 Insurance and Liability

Broxtowe Borough Council requires insurance to cover scooters that are being stored and charged on Council property.

The insurance must include public liability insurance against accidents and or other injury, to third parties or themselves as well as damage to the internal or external parts of the property, including those parts allocated for storage of scooters. Tenants who apply for permission should expect to produce their insurance certificate for inspection by the Council.

The Council does not accept liability for any losses or damage to a mobility scooter, whether it is on Council property or not.

5.4 Tenant responsibility in accordance with the policy

All tenants who bring a mobility scooter onto Council property must abide by the conditions of this policy and the terms of the tenancy agreement. Tenants must also ensure any visitors bringing a mobility scooter onto Council property also abide by the conditions of this policy.

All scooters must have an up to date Portable Appliance Test (PAT) certificate which must be supplied to the Council on an annual basis.

Tenants are responsible for ensuring that their scooter is in good working order and serviced regularly. Documentary evidence of this may be requested.

Independent Living Coordinators and Housing Officers may undertake periodic inspections. If tenants are found to have breached the conditions of this policy, then permission to keep a scooter may be withdrawn. The council will inform the tenant in writing giving 28 days' notice to remove the scooter from the property.

The council's Tenancy Agreement requires tenants to obtain written permission to keep a mobility scooter. Where there is a breach of the agreement the council will take appropriate action.

Where a scooter is stored or charged on council premises without permission, or outside the terms of permission granted, the council reserves the right to remove the scooter to ensure health and safety and may recharge the tenant for any removal costs. A risk assessment would be carried out to determine if removal of the scooter was required immediately. If a scooter is removed it would be stored for up to one month as confirmed in the managing communal areas procedure.

The Council recommends tenants go on a training course before purchasing a mobility scooter, especially if the user is not used to driving. We would recommend that all mobility scooter users undergo training on the usage and control of the scooter they are purchasing whether a Class 2 or Class 3 scooter.

Scooters must be driven safely and in a responsible manner within the building and grounds taking due care and consideration for other people and surroundings. All Scooters must be set to the lowest speed setting whilst driven in a communal area.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Tenancy Agreement
- Alterations and Improvements procedure
- Managing Communal Areas policy
- Managing communal areas procedure
- Aids & Adaptations policy
- Mobility scooter guidance notes for tenants

7.0 Review

The Mobility Scooter Policy will be reviewed every three years or sooner if there is a change in guidance or legislation.

8.0 Appendices

9.0 Document History and Approval

Date	Version	Committee Name
January 2020	1.0	Housing Committee