

## HOUSING MANAGEMENT ADVISORY BOARD – 22ND MARCH 2017

### Report of the Head of Landlord Services

#### ITEM 6      MOBILITY SCOOTER POLICY

##### Purpose of Report

To consider the position with the Mobility Scooter Policy.

##### Recommendation

To note the Mobility Scooter Policy.

##### Background

The Board considered a draft Mobility Scooter Policy at its meeting on 1 April 2015, as attached in the Appendix.

The draft Policy sought to balance the needs of scooter users with the requirements imposed by the Fire Service.

The need to have a Policy and the tone of the Policy were supported by the Board.

Mobility scooters provide valuable support and mobility to residents. A mobility scooter can make a real difference to someone's life and maximise independent living. The aim of the Policy is to support the individual needs of those residents who use a mobility scooter to maintain independence, whilst at the same time adhering to the requirements of the Leicestershire and Fire Service by continuing to maintain high standards in health and safety in the Council's communal areas.

The Regulatory Reform Order (Fire) 2005 imposes obligations on the Council as the responsible person for the common parts of buildings to ensure that the emergency routes and exits are clear at all times in order to safeguard the safety of residents. It is an offence for any responsible person to fail to comply with that obligation. The measures in the Council's Mobility Scooter's Policy assist the Council in discharging its obligations under the Order.

As part of our monthly inspection programme, we continue to identify and monitor the use and location of any mobility scooters that are placed in communal areas and provide advice to tenants on the need to keep communal areas clear and unobstructed at all times.

We are also exploring the feasibility and options for providing suitable storage facilities at affected sites, subject to the availability of resources, suitable sites being available, and demand for storage facilities.

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# **Charnwood Borough Council**

## ***MOBILITY SCOOTER POLICY***

February 2015

## **1. INTRODUCTION**

Mobility scooters provide valuable support and mobility to residents. A mobility scooter can make a real difference to someone's life and maximise independent living.

The Council aims to ensure that it supports the individual needs of those residents who use a mobility scooter to maintain independence, whilst at the same time adhering to the requirements of the Leicestershire Fire and Rescue Service by continuing to maintain high standards in health and safety in its communal areas.

## **2. SCOPE**

This policy applies to both tenants and leaseholders who live in properties with communal areas and/or shared entrances, such as hallways and landings. It also applies to anyone living with or visiting them. This includes sheltered housing.

## **3. BACKGROUND**

Mobility scooters provide valuable support to residents. However, they are manufactured from plastic and rubber based materials, which can produce vast quantities of thick black toxic smoke when involved in a fire. They also utilise large battery packs to provide power to the motor. Some batteries house corrosive acids which can give off flammable and explosive gases including hydrogen, particularly during the charging process.

Fire and Rescue services around the country have attended numerous serious fires involving mobility scooters often found stored and left to charge in areas such as corridors and staircases which are classed as clear areas and should be free from combustible materials and ignition sources.

This clear area often makes up the main means of escape for residents and visitors within the living accommodation. This could be a block of flats or sheltered housing. The practice of storing mobility scooters in these areas places an unacceptable risk to residents and visitors cannot be permitted.

The attached link shows how quickly a mobility scooter can catch fire.

<http://www.dorsetfire.gov.uk/safety/fire-road-safety/fire-safety-your-home/how-prevent-fires/mobility-scooters-in-shared-accommodation/>

## **4. AIMS**

The aims of this Policy are to:

- highlight the positive aspects that owning and using a mobility scooter can bring to a person's life whilst also recognising that the storage and charging of mobility scooters must be accomplished safely for all residents, staff and visitors;

- protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors;
- support residents who use/wish to use a mobility scooter;
- ensure a consistent approach;
- ensure that residents are aware of their responsibilities with regard to the storage and use of mobility scooters within blocks and communal areas;
- ensure that all health and safety and fire risk issues are identified and addressed to ensure safety for all within the properties;
- ensure that residents are aware that they can be held liable for injury to other people or any damage caused to the building or communal areas.

## **5. DEFINING MOBILITY SCOOTERS**

**5.1 Class 1: Manual Wheelchairs:** These wheelchairs are not electrically powered. You use your arms to move the wheelchair forward or you are pushed by another person.

### **5.2 Class 2 - Powered Wheelchairs and Scooters**

Legally these scooters can travel up to 6.4kph (4mph) on pavements and are allowed on the road to cross from one side to another. Within the category of Class 2, some are more suited to indoor use as they are smaller and more compact.

### **5.3 Class 3 – Powered Wheelchairs and other outdoor powered vehicles**

**including scooters:** These vehicles generally have features similar to Class 2 but tend to be larger and can be used on the roads where they can travel up to 12.8kph (8mph). Class 3 vehicle users do not require a driving licence but should obey the Highway Code at all times.

**5.4 Advice and information:** Residents are advised to seek independent advice.

Residents can also consult the government website at:

<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/overview>

This provides information on types of mobility scooter and regulations in force.

## **6. FIRE SAFETY/RISK**

The Regulatory Reform Order (Fire) 2005 imposes obligations on the Council as the responsible person for the common parts of buildings to ensure that the emergency routes and exits are clear at all times in order to safeguard the safety of residents. It is an offence for any responsible person to fail to comply with that obligation where that failure places one or more persons at risk of death or serious injury in case of fire. The measures proposed in this policy will assist the Council in discharging its obligations under the Order.

If a communal hallway forms part of the designated means of escape from the building in the event of a fire, it should be kept clear and unobstructed at all times.

## **7. PURCHASING OR HIRING A MOBILITY SCOOTER**

Before a resident purchases a mobility scooter, they must seek guidance and written permission from Landlord Services staff.

## **8. STORAGE OF MOBILITY SCOOTERS IN DESIGNATED AREAS**

**8.1** The Council can provide storage for mobility scooters but cannot guarantee that this will be available, as it will be subject to resources, suitable sites being available and demand. There may be a charge for such storage and/or charging. Some properties will not be suitable for scooter storage.

**8.2** The allocation of a space within a designated area will take place on a first come/first served basis. Priority will be given, subject to 8.1 above, 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 Disability Living Allowance /Personal Independence Payment. It will be the responsibility of the resident to provide sufficient evidence to support their request for a space.

## **9. PERMISSION AND CRITERIA FOR KEEPING A MOBILITY SCOOTER**

**9.1** Tenants and leaseholders who live in properties that fall within the scope of this policy must apply for formal written permission to keep and store a mobility scooter before they acquire it. Applications should be made to a Tenancy and Estate Management Officer or scheme Warden in writing.

**9.2** Prospective tenants, who already have a mobility scooter, will not automatically be given permission to keep a mobility scooter and will be subject to the same assessment criteria as existing tenants. Where we are aware of existing scooter users, we will grant retrospective permission, providing the assessment criteria are satisfied.

**9.3** Standard criteria will be used to assess all permission requests. Permission will not be unreasonably withheld and is dependent upon:

- the identification of a suitable area to store and charge the scooter which must be used at all times;
- the owner of the scooter having and maintaining adequate insurance, including public liability insurance for damage to council buildings and property, damage to other persons property and injury to people;
- the owner of the scooter undertaking an annual Portable Appliance Test (PAT) and safe use of the scooter;
- the owner of the scooter must forward copies of the insurance and PAT testing certificates to the Council annually or permission will have to be withdrawn until they are supplied.

**9.4** Where a PAT identifies repairs, these must be completed within four weeks and the mobility scooter re-tested if necessary.

**9.5** No motorised mobility scooter is to be stored or used within the communal areas of any Council owned property. This also applies to anyone living with or visiting residents. Mobility scooters cannot be taken into lifts.

**9.6** Any damage to the Council's property caused by a mobility scooter will be recovered through the owner's insurance company. If the owner does not have a current insurance certificate they may be personally liable for all costs, and may be asked to remove the scooter from the premises immediately.

**9.7** Residents must not store, even temporarily, or charge mobility scooters in communal areas. Residents must ensure that anyone living with them or visiting keeps to these rules. They are required by the fire service to ensure health and safety.

**9.8** The fire service has advised the Council that mobility scooters should not be driven through internal communal areas to a residents' property. This means that if residents wish to store their mobility scooters in their homes, this is possible only if there is external access.

**9.9** The Council can provide storage for mobility scooters but cannot guarantee that this will be available, as it will be subject to resources, suitable sites being available and demand. There may be a charge for such storage and/or charging.

**9.10** Residents must ensure that their mobility scooters do not cause nuisance, annoyance or damage and must ensure they cause no injury to others. Permission may be withdrawn if this happens.

**9.11** Once granted, permission may be withdrawn if residents do not follow the requirements of this policy. If permission is withdrawn residents will be required to remove their mobility scooter from any designated storage area so that this space can be re-allocated.

**9.12** It will be a condition of tenancy that the residents must follow the requirements of the mobility scooter policy.