

Mobility Vehicle Policy

Version (e.g. first draft, final report):	Final
Applies to:	<p>This document applies to all staff working for either Eastbourne Borough Council or Lewes District Council Homes First and Neighbourhood First.</p> <p>It applies to all tenants and leaseholders living in general needs and retirement accommodation managed by Homes First.</p>
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Accountable: (Operational Lead)	Liz Martin, Neighbourhood Housing Lead
Consultation:	<p>Tenants and residents have been involved in the formulation of this policy through face-to-face consultation at the Retirement Housing Forum (Jan 19) and specific focus group meeting (LDC and EHL) (Sept 18).</p> <p>Consultation has involved the Council's Health & Safety team, Neighbourhood Housing Team, Retirement Housing Team.</p>
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1.0 Policy Statement

This document outlines Homes First's policy on the storage and charging of mobility aids in communal areas and applies to tenants in retirement and general needs housing.

2.0 Scope

This policy outlines the key principles around the storage and charging of motorised scooters and other mobility aids in communal areas. It should be read in conjunction with the Council's Mobility Vehicle Procedure and the [Aids and Adaptations policy](#).

3.0 Introduction

3.1 Homes First understand the value that mobility aids (motorised scooters, wheelchairs, walking frames, walking sticks, etc.) can bring to the lives of some customers in maintaining and increasing their independence. This policy is being introduced in response to the number of requests received to provide scooter stores in the retirement schemes and the increased use of mobility vehicles in communal areas in general needs blocks.

3.2 This policy meets the requirements of the following legislation and guidance:

- Management of Health and Safety at Work Regulations 1999.
- Use of Invalid Carriages on Highways Regulations 1988.
- Equality Act 2010 - Landlords have to make reasonable adjustments for disabled people when requested, where a disabled person is placed at a substantial disadvantage in the enjoyment of their homes, compared to those who are not disabled. Landlords do not have to remove or alter physical features of the premises; features which arise from the design or construction of a building are to be treated as a physical feature.
- The Regulatory Reform (Fire Safety) Order 2005 applies and covers general fire precautions and fire safety duties which are required to protect people in case of a fire. The order requires that where necessary fire precautions should be put in place to the extent that it is reasonable and practical to do so. One of the requirements under the Order is that fire risk assessments, focusing on the safety of occupants and visitors to the building, be carried out. Risk assessments have identified motorised scooters as a possible fire hazard when stored in escape routes within communal areas.
- [National Fire Chiefs Council, Mobility Scooter Guidance](#) for residential properties.

3.3 This policy provides distinct and separate guidance for those living in retirement housing and those in general needs housing.

4.0 Definitions

4.1 A mobility aid is a device designed to assist walking or otherwise improve the mobility of people with mobility impairment. Mobility aids can include motorised scooters, wheelchairs, walking frames, crutches, walking sticks.

4.2 This policy refers specifically to the use and safe storage of mobility aids, and particularly motorised vehicles / scooters due to the specific issues and risks relating to their storage and use.

Motorised vehicles / scooters and powered wheelchairs come in 2 categories:

- 'class 2 invalid carriages' – battery powered including battery powered wheelchairs. These cannot be used on the road (except where there is no pavement) and have a maximum speed of 4mph;
- 'class 3 invalid carriages' - these can be used on the road, and have a maximum speed of 8 mph on the road and 4mph on footpaths.

4.3 **Communal Area** - any internal area within a building which is shared or is accessed by more than one person e.g. corridors, cupboards, lounges, etc.

4.4 **Retirement housing** - a group of unfurnished flats, studio apartments and bungalows designed for the needs of older people, whilst encouraging residents to maintain full independence. The accommodation is for people aged 60 upwards.

4.5 **General Needs housing** - applies to general family housing and dwellings for singles and couples. The accommodation is normally provided in a self – contained bungalow, house, flat or maisonette.

5.0 Permission / Risk Assessment

- 5.1 The provision of safe storage and charging facilities in some premises will prove difficult and, in certain locations, it may not be possible to provide suitable storage or charging facilities, either internally or externally. In these situations, it may not be possible to allow residents to store or charge mobility scooters in these locations. In such cases Housing First staff will support the tenant to look at options, which may include considering alternative housing more suitable for their requirements.
- 5.2 Anyone wishing to store and / or charge a motorised vehicle / scooter in their home; a communal area or designated "scooter room", must first apply for permission in writing, and have received written confirmation from Homes First that this permission has been granted. Unless written permission has been granted by Homes First no vehicle is to be stored, used or charged in any Homes First property / area.
- 5.3 If a mobility scooter is stored within a tenant / leaseholder's property they must ensure that there is sufficient space within the home to store the scooter safely. Storage should not restrict access to the property. An inspection should be arranged with the East Sussex Fire Safety Officer to assess for additional smoke detection/ internal fire doors.
- 5.4 Written permission will be subject to the findings of an assessment of the applicant's ability to physically manage their mobility scooter and recommendations from the East Sussex Fire Safety Officer and / or occupational therapist.
- 5.5 Tenants who have permission for a mobility scooter will not automatically be given permission to keep a mobility scooter should they move home. This will be subject to risk assessment of their new home undertaken by Homes First.
- 5.6 Homes First will continue to seek to identify additional scooter storage capacity in retirement accommodation and flatted schemes, subject to financial constraints. Homes First is not able to assist with scooter storage facilities for individual General Needs properties other than in exceptional circumstances and where supported through an Occupational Therapist referral via the Aids and Adaptations route.
- 5.7 Permission will only be granted for one scooter per person.
- 5.8 Visitors must ensure that they do not block communal areas or access in and out of a flat if using their own mobility scooters, additional visitor scooters must be left in a safe area outside of the building that does not block any access routes.
- 5.9 When storing your mobility scooter in any of the designated communal areas you must not leave any personal items on or in the scooter.
- 5.10 Type of Scooter; Mobility scooters MUST NOT:
- be powered by diesel or petrol this includes for example a scooter heater;
 - be charged using communal power sockets unless this is in a designated scooter storage area or with extension leads which run across any communal area.
- 5.11 Mobility scooters MUST:
- be stored within the applicants home unless there is a mobility scooter storage area available where they live which has space available and which has been agreed by Homes First. If stored in a person's own home it must not be stored in a hallway or area which restricts access to the property;
 - have either a CE Kite Mark product manufacturers claim that it meets the requirements of the European Safety Regulations or the British Standard Kite mark - BS EN 12184:2014;
 - be driven at 'tortoise' or slow speed if used within a sheltered scheme and within the pathways and entrance to the scheme;
 - be charged in accordance with the manufacturers instructions.

6.0 Annual Maintenance Testing

- 6.1 All motorised scooters must be serviced and maintained annually and have a Portable Appliance Test (PAT test) as part of their service to ensure that the charging equipment is in good condition, the responsibility for the testing sits with the owner of the scooter and evidence of the successful PAT test needs to be provided to the council annually.

If any equipment fails the PAT test the equipment should be removed from the communal area / their home. It will be the scooter owner's responsibility to repair/replace the damaged item before it can be used again.

7.0 Insurance

- 7.1 Homes First will not accept liability for any claims arising from the use or storage of motorised scooters.
- 7.2 Insurance is not legally required for motorised scooters / vehicles. However, where a customer wishes to use a motorised scooter in the grounds of, or within any property managed by Homes First they must first obtain appropriate insurance cover including:
- Public liability insurance, covering accidental damage to a third party and property
 - Confirmation that home contents insurance has been amended to cover the storage and charging of mobility scooters in their home (NB Contents
 - insurance alone is not sufficient to provide third party cover should any damage occur to the premises or to another person).
 - Some policies also cover additional losses from fire, theft and damage.
- 7.3 Evidence of this should be supplied to Homes First annually when requested. Failure to have adequate insurance cover will result in permission to keep a mobility scooter being withdrawn.

8.0 Using Your Scooter

- 8.1 Use the mobility scooter appropriately and not cause a danger or nuisance to others, including complying with regulations and recommendations in the Highway Code (rules 36 to 46) whenever they use their scooter.
- 8.2 Owners are required to repay the cost of any damage to property caused by their mobility scooter.
- 8.3 Currently Homes First does not levy an additional charge on the owners of motorised scooters for the costs of the storage and charging facilities; Homes First reserves the right to review this and introduce a charge in the future at any time.
- 8.4 Any Mobility scooter found in a communal area not designated as mobility scooter storage or found to be causing a hazard or obstruction will be removed by Homes First or a Homes First contractor, under the instruction of Homes First. If there is a very strong indication that the ongoing use and/or storage of the motorised scooter / vehicle in the scheme poses a serious risk to the user, other customers, staff or visitors, or to the property then Homes First reserve the right to ask that a motorised scooter is removed from the premises in less than 28 days, and possibly in as little as 24 hours. The cost of removal, storage and return will be charged to the owner / user of the Mobility scooter. This will require settlement prior to the scooter being returned.
- 8.5 Any tenants who already have a mobility scooter purchased prior to this policy need to make an application for retrospective permission.

9.0 Applies To Tenants in RETIREMENT HOUSING ONLY

- 9.1 Where possible dedicated scooter storage facilities will be provided in retirement schemes, but this is subject to budgets and the practical constraints of the individual sites. Customers are expected to store other mobility aids within their accommodation; wheelchairs, walking frames, and so on cannot be left or stored in communal hallways or under stairs.
- 9.2 In Retirement Leasehold schemes scooter storage will only be considered if the lease allows for improvement works and subject to consultation with all other Leaseholders.
- 9.3 Permission is given for the storage and charging of motorised scooters in communal areas (where this area has been designated as practicable and safe to do so) and in scooter storage areas on the assumption that the scooter will be used on a regular basis. If the scooter is not used for 28 days (unless due to hospitalisation or ill health which is not expected to continue or other factors such as adverse weather conditions) Homes First reserves the right to withdraw permission and the space be allocated to another customer who can make better use of the storage facility.
- 9.4 The allocation of a mobility scooter storage / charging space within a designated area will take place on a first come/first serve basis and awarded based on medical grounds with an Occupational Therapist recommendation or if the applicant is in receipt of the mobility element of Disability Living Allowance (Personal Independence Payment from April 2013 for those between 60 and 64 years of age).

It will be the responsibility of the resident to provide sufficient evidence to support their request for a space.

- 9.5 Where no spaces exist, Homes First will maintain a waiting list for applicants who have requested permission to store a mobility scooter where a dedicated storage facility is provided.
- 9.6 Residents must provide evidence of PAT certification and insurance cover on an annual basis and Homes First staff in retirement housing will maintain such a record.

10.0 Applies To Tenants in GENERAL NEEDS HOUSING ONLY

- 10.1 Should alteration be required to accommodate a mobility scooter within a home. Permission needs to be sought from Homes First prior to commencing with any work. Should permission be granted then Homes First reserves the right to request that the tenant return the property to its original status.

11.0 Homes First Will:

- 11.1 Risk assess any alterations made in line with the tenancy agreement and all fire safety issues considered prior to any alterations being made.
- 11.2 Undertake a risk assessment of any communal area or premises upon receipt of a request to keep a mobility scooter.
- 11.3 Act on any breach of tenancy including actions if a mobility scooter is being stored without consent.
- 11.4 Act to withdraw consent for the storage of any mobility scooter where the user operates the scooter inappropriately or causes a danger or nuisance to others.
- 11.5 Advise new tenants of the Mobility Vehicle Policy during sign up.
- 11.6 Report any incident that could impact the health, safety or welfare of any person to senior management.
- 11.7 In the event of any fire involving a mobility scooter this will be reported in line with our Mobility Vehicle procedures.

Retirement Housing Schemes Only

- 11.8 Inspect each scooter storage area as part of the regular health and safety; and fire risk assessments and subsequently manage any risks identified.
- 11.9 Register all users of scooters.

12.0 Equality and Diversity

- 12.1 Home First policies are developed in line with the Council's [Equality and Diversity policy](#) approach.

13.0 Privacy Statement

- 13.1 Information about how the council uses your personal information and your rights can be found in the Neighbourhood Housing Privacy Notice supplied when you signed up, or we can supply a copy on request. It can also be found on the council's website under the 'Privacy Notices for our range of services' tab here.

14.0 Complaints

- 14.1 Tenants have the right of appeal against any decisions made in the process and procedures of safely managing the presence of motorised scooters. Appeals should be made to a senior manager.
- 14.2 All complaints about the service will be managed under the Council's [Complaints Policy](#).

15.0 Monitoring and Accountability

- 15.1 The Homes First management team will oversee the consistent and fair implementation of this policy and will consult with colleagues (e.g. compliance, Health and Safety, Equality and Diversity) to ensure timely and accurate updates of the policy.

16.0 Review

- 16.1 We will carry out a fundamental review of this policy every three years or sooner, subject to legal, regulatory changes or if internal changes necessitate.