



# **Mobility Scooter Policy**

**Issued by Housing & Regeneration**

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## **Mobility Scooter Policy Quality Record**

<b>Revision</b>	<b>Date</b>	<b>Description</b>	<b>Stage</b>	<b>Agreed</b>
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**This Policy is available in larger print.  
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assistance.**

## **1. Policy statement**

- 1.1 Nuneaton and Bedworth Borough Council recognises the value that a mobility scooter can bring to enhance the quality of life to some of our residents, and for many it can provide independence and access to external facilities in the wider community that otherwise they might not be able to access. For other residents the use of a mobility scooter is more of a lifestyle choice and their use is not critical to their continued independence. The Council conforms to the Equality Act in ensuring our residents can maximise independent living using the most appropriate equipment available to them to do so.

## **2. Purpose**

- 2.1 The purpose of this policy is to:
- This policy will ensure that the Regeneration & Housing teams adopt a consistent, fair and transparent approach; in the way it deals with the management of mobility scooters within Nuneaton and Bedworth housing stock and will consider a range of relevant factors to enable the Council to develop proportionate and risk-based procedures and systems. These procedures and systems will act as an enabler to prevent injury and reduce risk to all relevant persons in the event of a fire, or other Health & Safety hazards, to promote independence and to comply with all relevant fire safety and health and safety at work legislation.

## **3. Introduction**

- 3.1 Nuneaton and Bedworth Borough Council conforms to the Equality Act in ensuring our customers can maximise independent living using the most appropriate equipment available to allow them to do so.
- 3.2 The leasing or buying of Mobility Scooters forms part of a measure, which assists this process. Even though our customers meet this cost privately, the Council aims to ensure that these vehicles are being used responsibly by the person residing within our stock.

## **4. Responsibility**

- 4.1 The Head of Housing & Responsive Repairs and retain the overall responsibility for the implementation of this Policy
- 4.2 The Head of Housing & Responsive Repairs, Tenancy Services Manager (Support) and Tenancy Services Manager (Neighbourhoods) are responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and reviewing, staff awareness and training, policy development and communication to tenants.
- 4.3 It is the responsibility of Nuneaton and Bedworth Borough Council to ensure that the storage and charging areas are free from hazards and safe for residents to use.

## 5. Context: Statute, Regulation and Guidance

5.1 Powered scooters are defined as 'invalid carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The regulations divided these machines into three classes:

Class 1 covers manual wheelchairs;

Class 2 applies to machines designed for use on the pavement, travelling at speed of up to 4 mph. They may also be used on the road to cross from one pavement to another or where no pavement is available.

Class 3 applies to machines that can be used both on the pavement where, like class 2 vehicles, they are limited to 4 mph, and on the road where they can travel at up to 8 mph. They must have a maximum unladen weight of 150kg, a maximum width of 0.85 meters, have an efficient braking system, front and rear lights and reflectors, direction indicators able to operate as a hazard warning signal,, an audible horn, a rear view mirror and an amber flashing light if it is used on a dual carriageway. Class 3 vehicles are required by law to be registered with DVLA for road use. These vehicles will be licensed in the disabled taxation class. Insurance is not a legal requirement however, for fire risk assessment and other purposes, the Council's Health & Safety Department recommend it is essential if the vehicle is to be used and stored within an Independent Living scheme.

Whilst mobility scooters are currently not regulated in the UK, the primary legislation relating to mobility scooters includes:

- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Management of Health and Safety at Work Regulations 1999
- Use of Invalid Carriages on Highways Regulations 1988

Information and guidance on mobility scooters is also noted within other publications such as:

- BS EN 12184:2014
- Fire Safety in Purpose Built Block of Flats Guide
- NFCC Specialised Housing Guidance
- Care Quality Commission (CQC) Fire Safety Information and Guidance Note 422
- RC59 "Risk Control: Fire safety when charging electric vehicles" 2012 published by the Fire Protection Association on behalf of RISC Authority.
- Association on behalf of RISC Authority
- House of Commons Transport Committee, Mobility scooters, Ninth report of session 2009-10.
- Department of Transport: Mobility scooters and powered wheelchairs on the road.

## 6. Objectives

6.1 The objectives of this policy are that Nuneaton and Bedworth Borough Council will:

- Advise residents considering purchasing a mobility scooter to visit an organisation where the scooters can be hired so that the appropriate training is given prior to any purchase being made.

- Effectively manage the parking and storage of mobility scooters within our housing stock (purpose built scooter housings only).
- That the parking and storage of mobility scooters must comply with Fire Safety Regulations.

## 7. Operational Principals

### 7.1 Training

- Residents considering buying a new or second-hand Mobility Scooter from a commercial retailer will generally be advised by the retailer on the type of machine, the suitability of the machine and be instructed on all safety aspects of using a Mobility Scooter. A test-run usually includes the introduction to the machine and all of this should be included in the purchase price.
- Purchasing a second-hand Mobility Scooter through other outlets does not have this safeguard, so residents must be wary. The mechanical condition of the scooter and the state of the batteries may be of concern and residents are strongly advised to have them professionally assessed.
- The Council highly recommends that residents visit an organisation where Mobility Scooters can be hired or bought and training given to the resident to gain experience and provide sufficient evidence to support their request for a space, before they purchase a Mobility Scooter.

### 7.2 Tenants Responsibility

- It is the tenant's responsibility to maintain their mobility scooter to the manufactures requirements and to ensure that the scooter is regularly serviced and is kept in a safe condition.
- It is also the tenant's responsibility to check all cables and charge plugs before charging the scooter and must ensure there is no leakage from the battery.
- Any Mobility Scooters kept at the Council's Independent Living schemes must have appropriate insurance in place. This should include liability insurance in case of either damage to building, or injury involving other people who may be living at or visiting the Independent Living scheme.
- Damage caused to any of the Council's property caused by a Mobility Scooter or by other means will be recovered through the Council's re-charge process. If the owner does not have a current insurance certificate, they will be personally liable for all costs and will be asked to remove the scooter from the Scheme.
- A copy of current insurance certificate must be provided to the Independent Living Officer and they must also be provided with a yearly renewal certificate.
- **Failure to comply with any of the points above may result in the resident being asked to remove the Mobility Scooter from the Scheme permanently.**

### **7.3 NBBC Homes allocation and advertising of properties**

The Council's Housing Allocation Policy advises applicants how to apply to join the housing register, how applications are verified and how existing tenants are able to transfer, the policy's aim is to ensure that all social housing within the Borough is allocated fairly and objectively, to those in greatest housing need.

#### ***How to apply to join the Register***

To apply for housing, all applicants must join the Housing Register by completing the on-line housing application form via the website, or by calling The Council on 02476 376406. All applicants will be verified to determine need, when eligible a band will be awarded dependant on their circumstances, part of the verification process will include determining the need for a mobility scooter.

#### ***How properties are advertised***

Properties are advertised on a daily basis on a weekly cycle, the property advert description will advise if scooter storage is available, and that those with an identified need for a mobility scooter will be given preference.

#### ***Existing tenants transferring due to the need of scooter storage***

Before a resident acquires a Mobility Scooter, they must seek permission from the Independent Living Officer/Tenancy Management Officer to ensure that there is adequate storage space available before bringing a scooter onto the scheme or to the property they reside in.

If there is inadequate storage spaces and the need for a mobility scooter has been agreed tenants are able to apply onto the Council's housing waiting list, for more suitable accommodation, all applications will be subject to the eligible criteria within the Allocation Policy, applicants who are accepted will be given a priority for rehousing as it will be deemed that they are tenant will a high need.

#### ***Tenancy agreement breaches***

Where a tenant is in breach of the conditions and written permissions of this policy and presents an unacceptable hazard, the Council will remove the mobility scooter and notify the owner without undue delay. The owner may be charged for storage at the discretion of the Council. Release of the mobility scooter shall only be granted once suitable arrangements for charging and storage are in place. If there is repeated breaches, the tenant will be required to permanently remove the mobility scooter. This may require legal action.

### **7.4 Allocation of a space**

There is no legal obligation to provide storage facilities for mobility scooters, however, the Council recognises the value that mobility scooters bring to people's lives. The Council will work with residents so far as is reasonably practicable to find the best solution for the safe charging and storage of scooters.

Allocation of a space for a Mobility Scooter will take place on a First-Come First-Served basis.

Where there are Mobility Scooters parked at an Independent Living scheme/General purpose block the Independent Living Officer/Tenancy Management Officer will record the

details and ensure that there is adequate space for all scooters to remain. If there is not, the Independent Living Officer and Tenancy Management Officer will work with the residents to try to achieve a mutual solution.

The Independent Living Officer/Tenancy Management Officer will manage and allocate the spaces on requests made. Discretion will be used if a request is made on medical grounds with an Occupational Therapist recommendation.

Mobility Scooters must **not** be stored or charged in the communal corridors, or any communal areas. This includes at, or near, exits/staircases/walkways. This is a non-negotiable direct instruction from all fire authorities.

If there is insufficient space within an existing scooter housing to store a scooter, the Council will recommend that residents choose one of the smaller, collapsible models, which can easily be stored within their own property.

The Council will make every effort to work with the Heart team to assist with aids and adaptations.

## **7.5 Means of escape**

The Council recognises that:

- ✓ All internal and external escape routes should be kept clear to enable all relevant persons to evacuate quickly and safely.
- ✓ The storage of mobility scooters should be fully risk assessed ensuring it does not compromise the means of escape.
- ✓ Report any damage to any fire protection measures e.g. fire doors or any structural parts of the building to the landlord.

A person's ability to escape a fire will be affected by smoke and heat. Smoke not only reduces visibility, but can because of the toxic gases and irritants in the smoke, cause incapacitation. High temperatures and radiant heat from the flames will also affect people's ability to escape.

Recognising these hazards and providing necessary protections to secure the safe escape of occupants underlies fire safety design in all buildings. It applies equally to dwellings as to other buildings.

Storage and use of mobility scooters in residential buildings can also pose other safety concerns to relevant persons and cause damage to the building such as fire doors and walls which could impact on the fire safety measures within the building. Such risks will be considered as part of the building fire risk assessment and steps taken to address such issues as they arise. In some cases competent advice may be required to ensure fire safety is not affected.

In the event of a fire, people react differently and it is important that escape routes, are kept clear at all times to ensure that all persons can reach a point of safety as quickly and as safely as possible.



Mobility scooters place a significant “fire loading” on the escape route(s) and in the event of a fire, present significant risks to all relevant persons.

Protected escape routes could become untenable due to smoke and fire and could put relevant persons (still within their flats) at risk of significant harm.

## **7.6 Storage and Charging of Mobility Scooters**

In terms of storage and charging mobility scooters, the Council recognise that:

- ✓ Manufacturer’s guidelines should be followed.
- ✓ Removing the battery from the mobility scooter will remove the source of ignition.
- ✓ Damaged batteries must always be immediately reported, not charged nor kept on site nor disposed of in normal rubbish
- ✓ Restricting charging at night, from 8pm to 8am – will reduce the risk to those who are asleep.
- ✓ Any charging in designated storage areas should be subject to portable appliance testing and subject to a risk assessment

Tenants must ensure that they follow any manufacturer guidelines or instructions on the safe use and charging of their equipment.

When determining storage solutions for mobility scooters the Council will consider the following:

- ✓ Can a fire be restricted to the room of origin?
- ✓ Is the proposed area sufficiently away from accommodation/escape routes.
- ✓ Can all persons reach a place of relative or ultimate safety?
- ✓ Are there sufficient electrical sockets available?
- ✓ Can charging time be restricted to minimise sleeping risk?
- ✓ Are there any other combustible materials in the vicinity?
- ✓ How many scooters can be stored safely within the proposed storage area?
- ✓ Is access and egress sufficient for mobility scooter use?
- ✓ Does the solution affect other residents?
- ✓ Is storage and charging in-line with manufacturer recommendations?

Separating the battery from the mobility scooter can reduce the risk, by removing the source of ignition. It should be noted that some mobility scooters are not designed to have the battery removed and this may be difficult for some users of these scooters.

Where the Council's risk assessment identifies that the domestic dwelling is not suitable e.g. where a tenant's own means of escape from their dwelling could be affected, then other areas of the building will be considered. This should include assessing existing rooms or areas within the grounds where reasonable adjustments can be made to store scooters.

Any electrical sockets provided in any designated storage area will be suitable for the charging taking place and will not put occupants at increased risk when they are likely to be asleep and conform to the manufacturer's instructions.

Vehicles should not be left on permanent charge, and only charged for the manufacturer's recommended time.

The Council maintains the right to charge owners for the electricity used to charge their Mobility Scooters when stored in the designated areas.

Mobility Scooters must not be stored or charged in the internal communal areas.

Mobility Scooters must be stored within the designated scooter housing at the Independent Living scheme or within the resident's property, not in any communal area.

Fire safety regulations state that Mobility Scooters stored in communal corridors or communal areas are not allowed and any fine imposed on the Council relating to a breach of this, will be recharged to the perpetrator.

**Failure to comply with the points above may result in the resident being asked to remove the Mobility Scooter from the scheme permanently.**

## **7.7 External storage**

The Council will ensure that external storage solutions will be fully risk assessed, giving consideration to arson, location, construction, fire spread, access/egress and maintenance.

The Council will carry out an assessment in order to consider the following:

- Arson risk
- Construction and fire spread
- Any impact on external escape routes
- Electrical installation
- Location, access and egress
- Maintenance
- Monitoring

It is recommended that any mobility scooter storage solution should be sited at least 6m away from buildings to reduce fire spread.

## **8. The Tenancy Agreement**

The Council's tenancy agreement states the following:

*You, your household and visitors must not park any motor or electric vehicle, motorcycle, moped or scooter anywhere other than an authorised area of parking. You are not permitted to park on any garden at the Property without written permission from the Council. Such permission will be withheld unless there is appropriate hardstanding and*

access, e.g. via a dropped kerb. If there is a local parking scheme, you must keep to the rules of the scheme.

*You must not leave your belongings or those of your household and/or visitors in the Common Areas. The Council may remove any items left in the Common Areas and dispose of them. You must not leave waste or other items in the Common Areas (except in designated bins or other appropriate receptacles).*

*You must not store or leave any rubbish or items that could cause a nuisance or danger in the Property, on your balcony, in your garden, shared areas or in any shed or garage you have been allowed to use. If you do, we will ask you to remove any items causing an obstruction, nuisance or danger. If you do not do this within a reasonable period of time, we may dispose of them without further notice and you will have to pay our reasonable costs for doing this. We may also take action against you for breach of tenancy.*

*You must keep all Common Areas free from obstructions. You must not keep any items that will block access or cause a health and safety risk, in corridors, landings, walkways, stairwells or any shared area. If you do, the Council may dispose of them and you will have to pay our reasonable costs for doing this. We may also take legal action against you for breach of tenancy which could result in your losing the Property.*

*You should not leave household waste, personal belongings (including old furniture, mattresses, etc) or rubbish outside of the Property. If we have to remove any items or rubbish you have left in a shared or public area, you will have to pay our reasonable costs for doing this. We may also take legal action against you for breach of tenancy which could result in your losing the Property.*

Where residents are prepared to fund such alterations themselves they should seek formal permission from the Council.

Prior to acquiring a Mobility Scooter the resident must consult with the Independent Living Officer to ascertain if space is available within the scooter housing.

## **9. Equalities**

- 9.1 This policy and associated procedures will apply to all. Nuneaton and Bedworth Borough Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, class, financial status and any other difference that can lead to discrimination or unfair treatment.
- 9.2 The Council we will not discriminate against any of the protected characteristics as detailed within the Equality Act 2010.

## **10. Related Documents**

Tenancy Agreement  
Regulatory Reform (Fire Safety) Order 2005  
Equality Act 2010  
Management of Health and Safety at Work Regulations 1999  
Use of Invalid Carriages on Highways Regulations 1988

**11. Review date**

- 11.1 Every three years or on the introduction of new legislation, regulation or good practice guidance.