

## Mobility Scooter (& powered wheelchairs) Policy for properties with shared communal areas

<b>Policy ref:</b>	Mobility Scooter
<b>Policy author /holder</b>	Head of OP & Learning Disabilities
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### **1 Purpose and anticipated outcomes**

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- 1.1 The number of mobility scooters have increased dramatically in recent years and for many older people, particularly those with medical conditions or disabilities which limits mobility, they have increased personal independence and reduced dependency on others.
- 1.2 The rise in mobility users has resulted in a number of challenges for housing providers, especially those living in designated blocks for older people or in buildings with communal areas which were built some years ago and were not designed for mobility scooters.
- 1.3 This policy aims to balance the needs and aspirations of residents to keep mobility scooters and powered wheelchairs alongside LiveWest's duties to maintain a safe living/working environment for residents, staff, contractors and visitors, particularly in relation to potential fire risks.
- 1.4 The use of mobility scooters can create a potential significant fire and safety risks. The risks can include:
  - collisions with vehicles, buildings and people
  - trip hazards from inappropriate storage
  - obstructing and blocking fire escape routes
  - defective batteries or chargers, giving off toxic smoke and fumes and lead to a mobility scooter catching fire.
- 1.5 This policy sets out how LiveWest will consider requests from residents to keep mobility scooters, and the factors to take into account when granting or refusing permission. It will also outline how LiveWest will look to address the need for adequate mobility storage and charging facilities that benefit the most residents in the safest way.

- 1.6 The policy recognises the value of mobility scooters and powered wheelchairs to residents in maintaining their independence. At the same time, LiveWest has duties to ensure high standards of health and safety within properties having shared communal areas and in ensuring that owners of powered vehicles understand their responsibilities to others. It is therefore important that all new lettings take into account an applicant's need or potential future need for a mobility scooter and the facilities available for storage and charging.

## 2 Scope and definitions

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- 2.1 This policy/procedure on Mobility Scooters (and powered wheelchairs) applies in LiveWest properties with shared communal areas.
- 2.2 This policy does NOT apply to manual wheelchairs (Class 1).
- 2.3 In addition, SECTION 6 AND SECTION 10/11 of the policy do NOT apply to owners or prospective purchasers of powered wheelchairs because these residents have no choice about whether they require a powered wheelchair- it is a necessity for day to day mobility around their accommodation and scheme. For this reason, it is acknowledged that powered wheelchairs will generally be stored within a resident's own flat.
- 2.4 The policy covers all tenures, including our shared-ownership customers, and the term residents refers to tenants and leaseholders.

### **What is a mobility scooter?**

- 2.5 A mobility scooter is defined, for the purpose of this policy, as a powered scooter or powered wheelchair.
- 2.6 Mobility scooters are defined as 'Invalid Carriages' under the Use of Invalid Carriages on Highways Regulations 1988 which divide these machines into three classes:
- Class 1 - manual wheelchair (not covered by the policy).
  - Class 2 - motorised scooters and powered wheelchairs, designed for use on the pavement only travelling at speed of up to 4mph and do not exceed an unladen weight of 113.4kg. Class 2 vehicles are not required to be registered with the DVLA.
  - Class 3 – motorised scooters 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. Their unladen weight must not exceed 150kg. These Class 3 vehicles are required by law to be registered with the DVLA for road use and taxed (nil rating). Insurance is not a legal requirement.

## POLICY STATEMENT

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### 3 Storage and Charging

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- 3.1 Mobility scooters and powered wheelchairs must never be stored or charged in communal corridors, hallways or stairwells or any communal space (both internal and external) unless it has been designed specifically for use to store/charge mobility scooters because they could increase the risk of fire or obstruct a fire escape route. Charging of a mobility scooter in an external charging location might be possible if undertaken at a reasonable distance from the building, away from an escape route and avoids any tripping hazards. Agreement from LiveWest must be given BEFORE using any area which is not specifically designed for charging or storage of mobility scooters.
- 3.2 Where there is sufficient suitable space and where a general need has been identified, LiveWest will endeavour to provide a safe and secure communal storage and charging area subject to available funding.
- 3.3 Where it is not possible to identify a suitable storage and charging area, LiveWest will seek to negotiate a satisfactory outcome with the resident who might need to consider alternative options, including seeking a move to a more suitable property. To help facilitate a move for LiveWest tenants, a 'management transfer' under the Exceptional Transfer Policy can be considered where a tenant has nowhere to store or charge a mobility scooter safely. This is not applicable to shared owners/leaseholders.

#### **Storage within an individual flat**

- 3.4 Where no designated storage facility exists, storage and charging arrangements might be possible inside the home of individual residents. A resident will need first to obtain prior agreement of LiveWest. This option removes the risk from the communal hallways and corridors and places the storage and charging of scooters within a fire resisting enclosure beyond a fire resisting, self-closing door. However, this places residents potentially at risk from a fire involving a mobility scooter in their own home.
- 3.5 It is the responsibility of individual residents to be safe. If a resident considers this option, the scooter should not be stored or charged in their hallway, if this is the only means of escape available. The scooter should be stored and charged in a separate room which is fitted with a fire-resisting door and fire detection. (See section 7- Permission for Alterations) LiveWest can advise on suitable locations for storage within a flat. Residents are advised that the charging of a scooter within their own home should not take place between 8.00pm and 8.00am to reduce the risk to sleeping occupants.
- 3.6 Residents storing a mobility scooter within their own flat should ensure any manufactures guidelines or instructions on the safe use of the charging equipment are followed and have in a place a valid Portable Appliance Test (PAT) – (electrically tested every 12 months).

- 3.7 If required, LiveWest's Compliance/Fire safety team can give further advice on the suitability of the property; including smoke detection, charging point, fire compartmentation, and access into the flat.

## **4 Designated Storage/Charging Facilities**

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- 4.1 In some schemes, there will be designated storage facilities for mobility scooters. The storage areas for scooters will normally be allocated on a first come first served basis. Permission for the scooter is still required and LiveWest cannot guarantee that a space will be available.
- 4.2 Service charges may apply for the use of the scooter store provided. These charges would cover the use of the provision of an electricity supply for charging the scooter. Some schemes may have a 'pay as you go' token system.
- 4.3 Scooters must not be left on permanent charge and only charged in accordance with manufacturer's recommendations.
- 4.4 Chargers used within designated facilities must be subject to an annual Portable Appliance Test (PAT). Although LiveWest can arrange these tests (the cost of which will be met by resident service charges), if any equipment fails the PAT, it is the resident's responsibility to repair or replace it before using it.

## **5 Driving a mobility scooter within the communal areas**

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- 5.1 Class 2 and 3 mobility scooters are essentially outdoor vehicles; should it be essential they are used within a building (i.e. because of the resident's mobility), use is generally restricted between the main entrance of the building and a resident's flat.
- 5.2 Wherever possible, motorised/ non-motorised wheelchairs or walking aids should be considered for use to assist with mobility inside the building rather than the use of large mobility scooters.
- 5.3 Particular care should be taken when driving within a scheme and when using a lift. Mobility scooters must give priority to pedestrians; they should always give way and, if necessary, move over and stop to let a pedestrian pass.
- 5.4 The use of mobility scooters within passenger lifts is discouraged. Where they are necessary for mobility reasons, the following guidance will apply:
- only one scooter should use the lift at any one time to ensure that weight limits are not exceeded and to avoid the risk of collisions,
  - Scooters should be driven forward into the lift and reversed out (using the lift mirror to assist with reversing).

- 5.5 Any damage or injuries should be reported to LiveWest staff at the first opportunity (see Section 8 on Insurance).

## 6 Applying for permission to keep a mobility scooter (*not applicable to powered wheelchairs*)

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- 6.1 This policy sets out the circumstances in which LiveWest will grant permission to keep a mobility scooter.
- 6.2 This policy will apply to all new requests to keep a scooter and retrospectively to existing residents who already have a scooter. (Note: It is important that retrospective applications are made so that LiveWest can review the risks posed rather than to remove any previously granted permissions).
- 6.3 Residents who wish to obtain a mobility scooter must apply in writing for permission BEFORE purchasing (view the Mobility Scooter Application form). We will normally respond to requests within 14 days of receipt. If no response is received, the application will remain unapproved. Permission is conditional on the resident having relevant tax registration (where required) and that they have read, understood and agree to abide by the Mobility Scooter Policy (a copy of which should be sent with each permission letter). Current and prospective LiveWest residents who are thinking about purchasing a scooter are recommended to discuss this with scheme/estate staff before making a purchase.
- 6.4 Any resident considering renting or purchasing a mobility scooter should get advice from a reputable dealer experienced in assessing customer needs and who can offer appropriate training on the different types and suitability and the safety aspects of using a mobility scooter. If buying a second-hand scooter, residents are strongly recommended to have the mechanical and electrical condition of the scooter checked prior to purchase
- 6.5 In considering whether permission should be granted, account will be taken of whether a suitable safe area can be identified to store and charge the scooter and the potential impact on other people. Permission will only be granted where the needs and wellbeing of other residents and other users of the building are not adversely affected.
- 6.6 It is the resident's responsibility to ensure that their mobility scooter:
- will fit in any intended external doors, lifts, and internal doors
  - is in a safe condition, serviced and maintained regularly and complies with all the legal requirements relating to that class of mobility scooter.
- 6.7 LiveWest cannot guarantee that every resident who wants a mobility scooter will be given permission. Permission will be **refused** where:
- there is no safe storage in the resident's flat and where no suitable alternative safe communal storage and charging space can be provided
  - a major physical alteration to the premises is required, which we believe to be unreasonable in terms of cost, aesthetics and/or disruption to other service users

- the scooter is too large to fit through internal or external entrances
- there would be a breach of legislation or impact on the health, safety or welfare of other occupants of the premises.

6.8 Where permission is refused, we will explain the reasons. Where permission is given, this will be conditional on the resident accepting the conditions outlined in this policy.

## 7 Permission for Alterations

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7.1 Residents will need to gain permission for any alterations to their property, for example the creation of storage facilities, upgrading doors, additional fire detection etc.

7.2 We will not unreasonably withhold permission for alterations; however, there may be instances where it is not feasible to provide adequate facilities due to the layout of the property.

## 8 Insurance

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8.1 Although there is no legal requirement for users of Class 3 mobility vehicles to be insured (even when driving on the public highway), **LiveWest highly recommends that owners of all mobility scooters and powered wheelchairs should obtain adequate insurance. In certain circumstances, residents might be personally liable for damage to property (including walls, doors and lifts) or personal injuries caused to other residents whilst using or charging their scooter or powered wheelchair.**

## 9 Maintenance and Testing

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9.1 Residents should ensure that mobility scooters are maintained in line with manufacturer recommendations; this should include usage and charging.

9.2 Evidence of maintenance and testing should be provided to LiveWest on request.

## 10 Withdrawing Permission

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10.1 Permission may be withdrawn if:

- a resident fails to comply with the conditions of the policy,
- purchases an additional scooter without permission,
- uses their scooter in a way that presents a danger to other residents or causes regular damage to the building,
- evidence of maintenance and testing of equipment cannot be provided.

## 11 Breaching Tenancy Conditions

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11.1 The latest LiveWest tenancy agreement states under section 'Shared Areas':

***"No obstructions:** You and anyone who lives with you or is a visitor must not block the corridors, staircases, balconies or lifts, and must not store anything including bicycles, motorbikes or similar machines, prams and pushchairs, mobility scooters or combustible materials in any shared area, including under stairs".*

Older tenancies will still have reference to keeping corridors and stairwells clear and free from obstructions.

11.2 Where a scooter is stored or charged within communal areas without permission, or outside the terms of permission granted, LiveWest reserves the right to remove the scooter in order to safeguard the health and safety of other residents and may recharge the resident for any removal/storage costs.

**ALL LiveWest staff have a responsibility for highlighting breaches of this policy.**

## 12 Monitoring and review

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12.1 This policy will be reviewed 'every three years or earlier if changes in good practice or legislation'

## 13 Legal considerations

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- Use of Invalid Carriages on Highways Regulations 1988

## 14 Linked / associated policies and other references

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Below is a list of linked or associated LiveWest policies and procedures:

- Mobility Scooter Permission - Application form
- Aids and adaptations
- Neighbourhood management – deals with communal areas.
- Allocations and lettings – links with those applying for a property who may want a scooter
- Compliance operational standards

References:

- Estate or scheme rules
- Disabled Living Website has a fact sheet on 'choosing a scooter or buggy'  
<http://www.dlf.org.uk/>

Version ref	Date of change	By whom	Reason and updates
2	Sept 20	Head of OP and LD services	<p>First review following implementation. Minor changes made to reflect:</p> <ol style="list-style-type: none"> <li>1. Need for allocation teams to consider potential resident's current and foreseeable needs for a mobility scooter and facilities available to store and charge.</li> <li>2. Potential use of 'Management Transfer' if resident unable to accommodate their mobility scooter safely</li> <li>3. Allowing some external charging, subject to certain conditions and obtaining LiveWest approval</li> </ol>
2.1	Jan 23	Customer Experience Manager	Mobility Scooter Permission - Application form available separately