



Policy for: Mobility Scooters at our Sheltered Schemes

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| Policy Owner: | Head of Experience | Policy reviewer: | Experience Specialist |

1. Purpose

1.1 The use of mobility scooters enables users with limited mobility to maintain their independence, reduces dependency on others for day to day activities such as shopping and also helps to maintain their social inclusion. We are introducing a mobility scooter policy given the number of requests we are now receiving to provide scooter stores in our sheltered schemes and the increase in the use of mobility scooters amongst the older population generally.

1.2 A market study commissioned by the Department of Transport and published in May 2014 estimated that there were between 300,000-350,000 mobility scooters in the UK. This includes mobility scooters and motorised wheelchairs. We do not have any legal obligation to provide scooter storage facilities in our sheltered housing schemes. However we recognise the benefits that having a mobility scooter can bring to residents as it can help them maintain their independence for longer and avoid social isolation.

1.3 The demographic changes in Buckinghamshire are resulting in an increasingly older population and with the sales of mobility scooters increasing by around 5-10% each year, the use of mobility scooters by our tenants is likely to increase. None of our sheltered housing schemes were built with mobility scooter storage. We are now receiving an increasing number of requests from tenants to provide mobility scooter storage plus charging areas at their schemes.

1.4 This policy will balance the need of the individual to maintain their independence against our responsibilities under the relevant health and safety legislation including fire safety. This will ensure that we treat all our tenants fairly and equitably whilst ensuring that they can remain living safely in their homes.

2. References

2.1 Use of Invalid carriages on Highways regulations 1988

2.2 Department of Transport study, published May 2014

2.3 Highway Code (rules 36 -46)

3. Responsibilities

When a request is received from a tenant (including leaseholders) who wishes to buy or lease a mobility scooter for their own use or that of a family member the following conditions will apply:

3.1 We will:

- a) assess requests from tenants before granting or refusing permission and identify where the mobility scooter is to be stored

- b) If a tenant stores their scooter in their own home, we will not normally withhold consent provided we can ensure that the tenant can store it safely, can charge it in an appropriate way, can ensure it does not inhibit the means of escape from their home and has suitable fire detection.
- c) refuse permission where the tenant does not have the capacity to store a mobility scooter within their own home, unless there is a communal storage area provided at the scheme which has available space for the mobility scooter (section 6.2 regarding allocation for communal storage refers)
- d) consent to minor adaptations where recommended by the Community Occupational Therapist, such as provision of extra electrical sockets, or where permission to undertake these works is requested by the tenant, subject to any conditions that we may stipulate.
- e) agree any storage and charging arrangements with the tenant
- f) notify tenants of our decision in writing
- g) act on any breach of tenancy including actions if a mobility scooter is being stored without our consent

3.2 The tenant is required to:

- a) obtain our consent before purchasing or leasing their mobility scooter
- b) store their mobility scooter within their own home unless there is a mobility scooter storage area available where they live which has space available and which has been agreed by Red Kite.
- c) arrange for the annual PAT testing of their mobility scooter with a qualified electrician and obtain a confirmation certificate
- d) provide confirmation that their home contents insurance has been amended to cover the storage and charging of a mobility scooter in their home
- e) not store or charge their mobility scooter in any communal area without our consent
- f) not use communal power sockets located in our buildings or use extension leads across any communal area in order to charge their mobility scooter
- g) repay the cost of any damage to our property caused by their mobility scooter
- h) physically manage their mobility scooter and be able to get on /off without assistance from Red Kite staff
- i) 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.

If the tenant does not adhere to the above, we will withdraw consent and may also take action as a breach of tenancy.

4. Legal Framework

We will take the following into account:

4.1 Relevant Building Regulations and Standards including the current Fire Safety legislation, the Regulatory Reform (Fire Safety) Order 2005. This requires all common areas to flats to be risk assessed and all identified fire risks and hazards to be eliminated.

4.2 IEE Regulations 17th Edition (relates to electrical installations)

4.3 Housing Health and Safety Rating System.

4.4 Equality Act 2010: Under this legislation it is unlawful to treat a disabled person less favourably than others for a disability related reason. Landlords are required to make reasonable adjustments for disabled persons if requested which includes the provision of auxiliary aids. Landlords are not required to make any changes that would consist of or include the alteration of a physical feature within the building.

5. Definition of a mobility scooter

5.1 A mobility scooter means any class 2 or class 3 invalid Carriage as defined by the **Use of Invalid carriages on Highways regulations 1988**. Essentially this covers all battery powered mobility scooters as well as battery powered wheelchairs.

5.2 Class 2 applies to any battery powered machine that is designed for use on the footway travelling at speeds of up to 4mph. This class also includes battery powered wheelchairs.

5.3 Class 3 applies to a machine that can be used on both the footway and the highway. They are limited to 4mph on the footway and 8mph on the highway. Class 3 machines must be licensed with the DVLA.

5.4 For the purposes of this policy, scooters that are not specifically designed for mobility use will not be permitted, nor will any equipment that may use alternative power e.g. combustion engine or flammable fuels.

6. Key Principles

6.1 Requests for communal scooter storage facilities

Requests to provide mobility scooter storage facilities in our sheltered schemes should be submitted via an Environmental Improvement (EI) request, please see our website for details. They may also be considered as part of a scheme upgrade or refurbishment works following consultation with tenants.

Account will be taken of any limitations to funding as well as any design and space limitations at each sheltered scheme when considering each request. Each application and site will be considered on its merits.

Before considering an application we will:

- a) apply our policy
- b) undertake a site visit to determine feasibility and identify a preferred local, external and hazard free location.
- c) consider arrangements for electrical charging points
- d) carry out a risk assessment
- e) ensure that consultation with tenants has taken place and that the majority of tenants are in favour or have no justifiable objection to the proposals
- f) identify the number of potential users at the scheme and ensure the number of storage units is proportionate
- g) obtain an estimate of costs
- h) consider whether there are any alternative, better value options
- i) check with the Property and Business Pods to establish whether any space identified as a possible mobility scooter storage area is required for other purposes
- j) establish the service charge payments for the use and charging of scooters.

A report will be submitted to the Environmental Improvement group once all these checks have been undertaken. This group will make a decision whether to approve funding.

6.2 Use of communal scooters storage spaces.

They can only be used by a resident who has been given consent by Red Kite to use the communal scooter store.

Individual spaces will not be allocated and they are to be used on a first come first served basis. Where no spaces exist, we will maintain a waiting list for tenants who have requested permission to store a mobility scooter.

Residents who are registered disabled will be given priority for spaces when they become available and then considered in date order of request.

Where there is no scooter store provision or spaces available, we may look at other possible options including a transfer to another scheme where scooter storage is provided.

No overnight charging in our stores will be permitted.

Mobility scooters should only be charged in the designated communal storage areas between 07.00 am and 21.00 pm to reduce the potential risk of fire overnight. This will normally be enforced via a timer.

Red Kite will not be responsible for any loss or damage to mobility scooters kept in the designated communal storage areas. Users will be responsible for obtaining their own insurance for their mobility scooter.

6.3 Insurance and PAT testing

There is no legal requirement to insure a mobility scooter. However there is a risk associated with personal injury to other residents when using a mobility scooter as well as damage to our property in the event of accidents or a fire.

Consequently, we will ask for appropriate insurance cover to be evidenced before giving our consent to a tenant who wishes to obtain a mobility scooter. This could be covered as part of their home or contents insurance. Alternatively, the tenant will be required to obtain separate insurance to cover the risks associated with using their mobility scooter on our premises including damage to our property, fire and public liability. This should be up to £2 million for injury and £2 million for accidental damage.

A tenant with a mobility scooter will be responsible for having a Portable Appliance test (PAT) carried out on an annual basis by a qualified electrician and must provide us with a copy of the PAT certificate on request. Failure to do so will result in us withdrawing our consent to allow the mobility scooter to be stored on our premises.

6.4 Charges

Tenants who use the designated scooter storage area to charge their mobility scooter may be required to pay an annual charge to cover the cost of our communal electricity as well as an element for administration. They will be given at least four weeks' notice where a new charge is introduced or when it is increased.

We may also charge a small general scheme service charge for all tenants to cover future maintenance and replacement costs.

6.5 Management of scooter storage areas

We will:

- a) inspect each scooter storage area as part of the monthly health & safety and fire risk assessments of our sheltered schemes and manage any risks identified
- b) register all users of scooters at each scheme
- c) require tenants to provide evidence of PAT testing and insurance cover on an annual basis and maintain such a record
- d) act on any breach of tenancy including actions if a mobility scooter is being stored without our consent
- e) 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.
- f) advise new tenants of our mobility scooter policy during viewings and also during their welcome visit

6.6 Provision of scooter storage facilities in our sheltered schemes – current and planned

We already provide facilities for the storage and charging of mobility scooters at five of our sheltered schemes which have been properly designed and risk assessed. These facilities have been provided as part of previous upgrade work undertaken at the scheme or as a result of an Environmental Improvement (EI) request. There are also plans to provide facilities at some further sheltered schemes.

We are not required to provide stores for this purpose and will not be setting a precedent for any of our other schemes should we choose to provide any other type of storage in the future.

Details of our current and planned scooter stores are in **Appendix A**.

6.7 Use of communal scooters in general needs (non-sheltered) housing

The same principles as above will apply to general needs. Although there is unlikely to be sufficient demand for communal external storage, individual tenants or leaseholders will be expected to:

- g) obtain our consent before purchasing or leasing their mobility scooter
- h) store their mobility scooter within their own home provided the necessary approvals are obtained and we deem this is safe
- i) arrange for the annual PAT testing of their mobility scooter with a qualified electrician and obtain a confirmation certificate
- j) obtain appropriate insurance cover
- k) not store or charge their mobility scooter in any communal area
- l) not use communal power sockets located in our buildings or trail cables across any communal area to charge their mobility scooter
- m) repay the cost of any damage to our property caused by their mobility scooter
- n) be able to physically manage their mobility scooter and be able to get on /off without assistance from Red Kite staff
- o) use the mobility scooter appropriately and not cause a danger or nuisance to others.

7. Policy statement

7.1 We recognise that mobility scooters can provide local outdoor mobility for people who might otherwise be confined to their home, and we understand the importance of this independence.

7.2 Our customers are responsible for the storage and maintenance of their mobility scooter and for using them appropriately.

7.3 Red Kite will work with our residents to make sure their mobility scooters are stored and used safely at our properties and external communal areas. We will not allow any mobility scooter to be stored or charged in the communal areas of our buildings other than in designated storage areas. The presence of and/or charging of a battery powered mobility scooter within any communal area presents an unacceptable risk as they are a potential source of ignition and therefore increases the risk of fire. They may also cause an obstruction by blocking an escape route in an emergency.

7.4 Consequently we have a zero tolerance to mobility scooters being stored in any locations without our consent other than the tenant's own home or in a designated scooter storage area.

7.5 We do not have any legal obligation to provide scooter storage areas in or at our buildings. However, where a request is received from a tenant who wishes to purchase a mobility scooter we will not reasonably withhold consent where the tenant has the capacity to store and charge the vehicle safely in their own home, and we are satisfied the risk is minimal, although our preference will always be for external storage.

7.6 Where alterations to the tenant's home are required e.g. door widening or provision of additional electrical facilities, we will not unreasonably withhold consent where the work is being funded at the tenant's own expense, legal requirements are met (such as Building Regulations) and the works will be undertaken by competent contractors.

7.7 Any permission we give may be subject to certain conditions e.g. alterations will be reinstated at the end of the tenancy, alterations need to be carried out to a certain standard and, where relevant, statutory approvals gained and certification to be supplied on completion of works.

7.8 A request can be refused where the alteration affects the property's structure, future ability to let, or presents a hazard to other residents.

7.9 No mobility scooters should be stored in any communal areas of the building including under stairs, on landings, in corridors, in the communal lounge or the entrances to our buildings. Red Kite would be at risk of enforcement action and prosecution if we allowed such a practice to take place in our buildings.

8. Related Policies & Procedures

8.1 Adaptations Policy

8.2 Electrical Safety policy

8.3 Guidelines for items left in communal areas

8.4 Tenants service charge policy

8.5 Environmental Improvements

9. Conclusion and Review

At Red Kite, we will balance the need of the individual to maintain their independence with our responsibilities under the relevant legislation. The safety of our customers and homes will always be the primary consideration.

In the future, we may consider other options regarding mobility scooters, such as working with external organisations that run hourly hiring schemes, or encouraging sharing or joint purchase of mobility products to reduce storage needs and also reduce costs to tenants.

This policy will be reviewed every three years unless there is a change of regulation or an issue which necessitates an earlier review.

The monitoring and review of this policy will be the responsibility of the Head of Experience and the Sheltered Manager.

Appendix A: Current mobility scooter storage (see overleaf)

Appendix A: Scooter store facilities at sheltered schemes

Information held as at May 2017

i) Current scooter store facilities

- a) Gatensbury Place – internal store for up to 8 mobility scooters.
- b) Havenfield Road – external storage cubicles for 4 mobility scooters
- c) Nancy Hall Court – internal scooter store located in a former bin store area adjacent to scheme office for up to 6 mobility scooters
- d) Orchard House – internal storage area for 4 mobility scooters located in a former store room on the ground floor next to the communal laundry.
- e) Woollerton Court – has 2 storage areas, an internal store that holds up to 6 mobility scooters and an external storage area which has 4 scooter storage cubicles

ii) Planned scooter store facilities

There is further planned provision at the following scheme which has already been approved by the Environmental Improvements Group:

- f) Grays Dormer – internal storage area to be created from an existing store room with capacity for up to 6 mobility scooters.

iii) Other possible locations

Other provision being considered as part of planned development or conversion works are:

- g) Archdale – external store planned as part of ongoing bedsit conversion works following previous consultation with residents.
- h) New Court – a scooter store has been requested by residents as part of the provision of new/replacement communal facilities following the proposed closure and sale of the old New Court building where all communal facilities are currently located.