



## MOBILITY SCOOTER POLICY

### 1.1 Introduction

This policy applies to current tenants, applicants, transferred tenants and mutual exchanges.

Dacorum Borough Council (DBC) recognises that a number of its tenants/leaseholders need to use a mobility scooter to allow them to be fully mobile and live independently. The Council will make every effort to provide safe and suitable storage for mobility scooters where space and practicality allow, however there may be some places where it is not possible to provide such storage.

There have been a number of fires caused by mobility scooters and it would be unsafe to allow them to be left in the corridors of our supported schemes and any DBC Communal areas as this would seriously prejudice escape in the case of fire. Both users of mobility scooters and the Council need to be aware of the potential risks involved. As a landlord, DBC has a duty to ensure residents comply with all the requirements placed on them by the council relating to the storage and use of their mobility scooters whilst on Housing Land.

The aim of this policy is to protect the safety of all residents, visitors, staff and contractors in DBC Housing premises whilst not restricting a person's independence.

### 1.2 Fire Risk

To comply with the Regulatory Reform (Fire Safety) Order 2005, DBC carries out Fire Risk Assessments at Sheltered Housing Schemes and general needs blocks. The increasing presence of mobility scooters in DBC buildings has become apparent and requires management. Section 1.3 details the classes and regulations that apply to these vehicles.

Government fire safety recommendations state that escape routes must not be compromised by items that could act as a source of ignition or trip hazard. DBC has adopted a "zero tolerance" approach and has implemented a clear landings policy and procedure to manage this effectively. Hertfordshire Fire and Rescue Service and DBC's fire safety consultant have advised that mobility scooter storage and charging should not be permitted in escape routes. The fire service has the right to issue enforcement notices if these conditions are not met.

When mobility scooters are stored and charged in internal communal areas this places an unacceptable risk to occupiers, visitors, staff and contractors. Mobility scooters present a potential source of ignition and increased fire loading. If involved in fire they can release large amounts of highly toxic smoke and gases. A fire in a mobility scooter could affect the means of escape and place an unacceptable risk to all occupiers within the building. The Regulatory Reform (Fire Safety) Order 2005 would expect such risks to be mitigated. Therefore storage of scooters is prohibited in communal areas of DBC buildings.

None of DBC's existing council housing stock was originally designed or adapted to accommodate the safe storage, charging and use of mobility scooters. Storage in the lift, internal communal areas or flats is not permitted.

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### 1.3 Types of vehicles included in this policy

Powered scooters are defined as “invalid carriages” under the Use of Invalid Carriages on Highways regulations 1988. Before purchasing a mobility scooter from a reputable supplier, users should undergo training on the usage and control of the scooter. This should be provided by the company selling the scooter. Regulations separate these vehicles into three classes:

- **Class 1** – manual or electrically powered wheelchairs – this policy does not apply to these as they can be taken into tenant’s properties;
- **Class 2** - machines designed for use on the pavement, travelling at a speed of up to 4mph. 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 4mph and on the road where they can travel at up to 8mph. These vehicles are required by law to be registered with the DVLA for road use. These vehicles will be licensed in the disabled taxation class Class 3 vehicles can only be used by a disabled person aged 14 or over. Users must have insurance and be registered with the DVLA if their vehicle is in class 3.

## **2.0 Existing tenants who request a mobility scooter after introduction of this policy**

### **2.1 Supported Housing tenants**

**Stage 1:** Tenants who request a mobility scooter will need an initial assessment by an Occupational Therapist (OT). The assessment must be carried out before a scooter is purchased. DBC will pay for this assessment.

**Stage 2:** If the OT assessment indicates a need for a scooter the request will be referred to the Housing Officer Tenancy (HOT) who will check if storage is available at their scheme. The HOT will manage a waiting list with places to be allocated on a first come first served basis, places cannot be handed to tenants by other tenants giving up their place. When a scheme has no further storage capacity, no more requests will be granted until another space becomes available. If storage is available, the tenant’s request for a mobility scooter can be granted.

**Stage 3:** The Council strongly recommends that tenant’s scooters are serviced annually. The tenant is responsible for the annual servicing costs. Some Supported Housing Schemes are not suitable for mobility scooters due to a lack of space or location. In these cases tenants who are assessed as needing a scooter will be offered the opportunity to transfer to alternative accommodation where they can store their scooter.

### **2.2 General Needs tenants:**

There is no provision for scooter storage in general needs properties and due to layout or other reasons the Council cannot offer a right to store them. DBC will work with these tenants to find safe storage, in accordance with “The procedure for allocating safe storage locations for mobility scooters.”

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**Stage 1:** Tenants in general needs properties who request a mobility scooter once the policy has been introduced will need to be assessed by an Occupational Therapist (OT) before purchasing a scooter. DBC will pay for this assessment.

**Stage 2:** If an OT assessment indicates a need for a scooter the request will be directed to the Aids and Adaptations Surveyors. As DBC has a variety of properties, some may not be suitable for mobility scooters due to space restrictions. Where space permits, the Aids and Adaptations Surveyors can identify suitable storage locations by referring to “The Procedure for identifying safe storage locations for mobility scooters.”

**Stage 3:** The Council strongly recommends that tenant’s scooters are serviced annually. The tenant is responsible for the annual servicing costs.

### **3.0 Existing tenants who owned a scooter before this policy was introduced**

#### **3.1 Supported Housing Tenants**

Supported Housing tenants who already owned a scooter before the introduction of this policy will be able to use storage facilities in supported housing schemes if they are available, places cannot be handed to tenants by other tenants giving up their place. The Council strongly recommends that tenant’s scooters are serviced annually. The tenant is responsible for the annual servicing costs.

#### **3.2 General Needs Tenants**

General needs tenants who owned a scooter before the introduction of this policy and who do not have suitable storage facilities will need an OT assessment. If the OT assessment does not recommend a mobility scooter and the tenant still wants one the tenant will have to pay for a suitable storage facility that complies to specifications and regulations approved by the Council.

General needs tenants who owned a scooter before the introduction of this policy and do have suitable storage facilities do not need an OT assessment.

If existing storage arrangements are found to be unsafe, the Council will try to find alternative storage. DBC will work with general needs tenants to find safe storage. Where space permits, the Aids and Adaptations Surveyors can identify suitable storage locations by referring to “The Procedure for identifying safe storage locations for mobility scooters.”

The tenant’s scooter must be serviced annually. The tenant is responsible for the annual servicing costs. A copy of the annual service report must be provided to the HOT if requested

#### **3.3 Leaseholders**

Leaseholders who owned a scooter before the introduction of this policy and who do not have suitable storage facilities will need an OT assessment. If the OT assessment does not recommend a mobility scooter and the leaseholder still wants one the leaseholder will have to pay for a suitable storage facility that complies to specifications and regulations approved by the Council.

Leaseholders who owned a scooter before the introduction of this policy and do have suitable storage facilities do not need an OT assessment.

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If existing storage arrangements are found to be unsafe, the Council will try to find alternative storage. DBC will work with leaseholders to find safe storage. Where space permits, the Aids and Adaptions Surveyors can identify suitable storage locations by referring to “The Procedure for identifying safe storage locations for mobility scooters.” The leaseholder’s scooter must be serviced annually. The leaseholder is responsible for the annual servicing costs. A copy of the annual service report must be provided to the HOT if requested.

#### **4.0 Summary**

A summary of the policy for types of dwellings is detailed below:

- Flats – Mobility Scooters cannot be stored inside flats or in internal communal areas of flats
- Supported Housing Schemes – Mobility Scooters cannot be stored inside the dwellings or in internal communal areas of the schemes
- Houses/Bungalows – Mobility Scooters can be stored inside Houses and Bungalows. An OT assessment will be required before the Council will look to install suitable storage. Suitable storage will only be supplied where feasible.

#### **5.0 Right to refuse requests**

DBC will look to provide suitable storage for mobility scooters wherever possible. If an application is made at a scheme that is unsuitable for scooters, the request will be declined. It will also be declined if any existing storage facility is full.

Requests will be refused if a scooter cannot be located safely and may cause a risk to its owner or other residents. DBC reserves the right to enforce this policy In line with the Clear Landings Procedure and Dacorum Borough council’s tenancy conditions.

#### **6.0 Using Mobility Scooters**

DBC strongly recommend that any tenant purchasing a mobility scooter does so from a reputable company and ensure that they receive adequate tuition in the operation of the mobility scooter. It is also recommended that the tenant takes out adequate insurance to cover themselves and the mobility scooter against accidents, damage and theft.

#### **7.0 Appeals Process**

An applicant may seek a review of an adverse decision by writing to the signatory on the letter of notification within 21 days of the date of the letter, stating clearly the reason(s) for the request for review.

The review will be conducted by a senior manager from Dacorum Borough Council, who has not previously been involved in the case in question.

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The review will be undertaken within 20 working days of receipt of the request and will take the form of a desktop review of all written information relating to the case. The applicant will be notified of the outcome within 7 days of the review being concluded. Applicants have the right to request an appeal of the outcome of review decisions.

Any appeal request must be made in writing to Housing Property and Place within 21 days of receipt of the letter informing the applicant of the outcome of the review. The appeal will be conducted by the Group Manager for Property and Place

At this stage any applicant wishing to pursue their appeal will need to make their case through the Council's complaints procedure. Only after the Council's internal complaints procedure has been fully explored may any complaint ultimately be taken to the Local Government Ombudsman.

## **8.0 Equality and Diversity**

We will ensure that this policy is applied fairly and consistently to all our customers.

We will not directly or indirectly discriminate against any person or group of people because of their race, religion, age, gender, marital status, sexual orientation, disability or any other grounds set out in our Equality and Diversity policy.

When applying this policy we will act sensitively towards the diverse needs of individuals and communities.

When applying this policy we will take the necessary positive action to reduce discrimination and harassment in local communities.

This policy and any other related publications of Dacorum Borough Council are available on request in other formats (e.g. in an alternative language, in Braille, on tape, in large type).

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