



Wythenshawe Community Housing Group (WCHG) Mobility Scooters Policy

Policy Name:	Mobility Scooters Policy
Status:	Version 1
Approved by:	
Drafted by:	Simon Melloy, Senior Housing Manager
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I. Purpose of this policy

- 1.1 The purpose of this policy is to ensure that Wythenshawe Community Housing Group (WCHG) is able to effectively manage ownership of mobility scooters by our residents to ensure that these vehicles are stored, charged and operated appropriately for the safety of all our residents.
- 1.2 The policy refers to class 2 and 3 mobility scooters as defined in the Use of Invalid Carriages on Highways Regulations 1988:
 - Class 1 refers to manual wheelchairs
 - Class 2 refers to vehicles designed for use on the pavement at speeds of up to 4 mph.
 - Class 3 refers to vehicles that can be driven both on the pavement, where they are limited to 4 mph, and on roads up to speeds of 8 mph.

2. Background

- 2.1 WCHG recognises that a number of its tenants/leaseholders need to use a mobility scooter to allow them to be fully mobile and live independently. WCHG will make every effort to provide safe and suitable storage for mobility scooters where space and practicality allow.
- 2.2 Nationally, however there have been a number of serious fires caused by mobility scooters and there is a growing concern in the sector that it is unsafe to allow them to be left or charged in communal areas such as landings, entrances and stairwells
- 2.3 The fire risk assessments carried out by WCHG confirm that the storage of mobility scooters in enclosed common areas such as communal entrances, stairwells and landings presents a fire risk as they contain combustible material and cause an obstruction.
- 2.4 The re-charging of mobility scooters in an enclosed common area is equally an unacceptable risk.

3. Fire Safety

- 3.1 WCHG has a duty to comply with the law relating to fire safety. 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 in and around premises.

- 3.2 The order requires that where necessary fire precautions should be put in place to the extent that is reasonable and practicable.
- 3.3 One of the requirements under the Order is that fire risk assessments, focusing on the safety of occupants and visitors to the building, need to be carried out. Risk assessments have identified mobility scooters as a possible fire hazard when stored within communal areas particularly near to escape routes.

4. Type of properties

- 4.1 This policy will affect people living in flats with communal areas and, in particular, the 9 multi storey blocks, Village 135, 3 sheltered schemes and low rise flats

5. Ownership of mobility scooters

- 5.1 In accordance with this policy, WCHG will issue residents with clear guidelines on the ownership of mobility scooters.
- 5.2 If a resident is considering obtaining a mobility scooter they must seek permission in writing from WCHG in the first instance.
- 5.3 Whilst permission will not be unreasonably withheld, WCHG's responsibility for the health and safety of all residents within a block must be paramount.
- 5.4 Permission will only be granted if the tenant is able to store the mobility scooter within their flat or if suitable storage facilities are available within the block where they live.
- 5.5 WCHG will maintain a register of all scooter ownership and review on an annual basis

6. Terms and conditions of the permission

- 6.1 A resident will only be given permission to own a mobility scooter within one of our blocks if they adhere to all the following conditions:

6.1.1 Storage

A mobility scooter must be stored within a tenant's own flat or within a specially designated area if available.

If a mobility scooter is stored in residents flat, they must ensure that there is sufficient space within the property to store a mobility scooter safely without obstructing any escape routes.

A risk assessment will be carried out at the property and as part of the risk assessment WCHG may provide the following minor adaptations such as:

- Small ramps
- Electrical charging sockets
- Internal fire doors
- Widening entrance doors

6.1.2 Re-charging

A mobility scooter must be charged within a tenant's home or within a specially designated area between the hours of 8am and 8pm and strictly in accordance with the manufacturer's guidelines.

6.1.3 Portable Appliance Testing (Electrical)

The mobility scooter must be made available for testing each year by WCHG and the certificate made available to WCHG.

6.1.4 Servicing

It is strongly recommended that the manufacturer's guidance is followed and the mobility scooter is serviced regularly.

6.1.5 Health and Safety to others

If a mobility scooter is required to be driven within communal areas this must be at walking pace and avoiding any damage to WCHG property.

Any damage must be reported immediately to WCHG and any costs to repair the damage may be recharged.

6.1.6 Lifts

The use of mobility scooters in lifts is only permitted in blocks where the lift meets the current fire safety standards and the mobility scooter can be safely manoeuvred in and out of the lift without causing any damage.

6.1.7 Insurance

The mobility scooter must have appropriate insurance, including third party liability if they are using the scooters on a landlord's property

7. Right to appeal a decision.

- 7.1 Where permission is refused the applicant has the right to appeal within 21 days to a Senior Manager not involved in the original decision

8. Monitoring

- 8.1 WCHG will keep up to date records for all registered mobility scooter users and this will include;
- A copy of the resident's insurance policy
 - Electrical test certificate
 - Completed risk assessment
 - Storage location
 - Make and model
- 8.2 The register will be monitored on a regular basis and an annual review will be carried out with the registered mobility scooter users.

9. Enforcement

- 9.1 If a resident purchases a mobility scooter without having obtained prior permission for storage and there is no space to store and/or charge it either in their own flat or in a designated storage facility WCHG may take action under the Tenancy Agreement or Leasehold Agreement.
- 9.2 WCHG will try to avoid taking formal action against residents wherever possible, with a view to acting preventatively and proportionately.
- 9.3 Where WCHG becomes aware that a mobility scooter is being stored in a communal area, we will intervene promptly to rectify the situation by:
- Speaking with residents informally and explaining the dangers to them
 - Exploring any alternative options available to residents
 - Explaining in person and in writing the enforcement action WCHG may have to take if the matter is left unresolved.
 - Working with support staff, advocates and relatives where possible to address the issue.
- 9.4 WCHG will only consider legal action where a mobility scooter presents a serious risk to health and safety and where preventative action has failed. This may include

- An injunction
- Possession Proceedings
- Forfeiture of the lease – in cases where the resident has a lease.

10. Communal storage facilities

- 10.1 The communal storage areas for mobility scooters will normally be allocated on a first come first served basis.
- 10.2 WCHG is under no obligation to provide storage facilities where no existing provision exists.
- 10.3 WCHG can refuse a resident the right to store a mobility scooter within their block if no suitable storage facilities can reasonably be provided.

11. Reasonable adjustments

- 11.1 WCHG recognises that promoting equality is a fundamental part of enhancing life chances and our obligation under the Equality Act 2010 to make reasonable adjustments where a disabled person or older person is placed at a substantial disadvantage in the enjoyment of their homes.
- 11.2 With regards to the storage and use of mobility scooters WCHG will consider making adjustments where the tenant requests them and this may include providing designated scooter storage and charging facility within internal or external communal areas.
- 11.3 In certain exceptional circumstances where the tenant has severe mobility issues, is registered disabled and wholly dependent on the mobility scooter to go about their daily activities, WCHG will consider the following reasonable adjustments:
- Providing a foldable motorised wheelchair, to be stored in the flat, which will allow the tenant to get from the designated storage facility to their flat
 - A foldaway ramp to allow access in and out of the flat
 - Rehousing into a more suitable property

12. Equality and diversity

- 12.1 The very nature of this policy will impact on people with disabilities or older people. It is important that all requests to own a mobility scooter are considered on an individual basis and the resident supported as much as possible; however, the overall health and safety principles of all residents are paramount.