

Mobility Scooter Process 2022



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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1. Introduction

- 1.1 South Kesteven District Council (the Council) is committed to supporting the quality of life of its residents. In accordance with the Equality Act 2010, residents are permitted to make use of the most appropriate equipment available to enable them to live independently. This includes the leasing or buying of mobility scooters.
- 1.2 The Council has a duty to ensure mobility scooters used by our residents are being used legally and safely, with full responsibility being taken by the owner/user.
- 1.3 The Regulatory Reform (Fire Safety) Order 2005 requires that fire risks in common areas are assessed, and actions taken to reduce these risks. In residential buildings, mobility scooter fires can pose a life safety risk to tenants, leaseholders, employees, firefighters, and others, when stored in communal areas and/or fire escape routes.
- 1.4 The Council has identified the maximum capacity for the storage of mobility scooters (which is limited in sheltered accommodation) and that they are being stored safely. The Council will advise the residents of Sheltered Housing as to the number of storage spaces available and whether these are external or internal arrangements for each scheme.
- 1.5 This process introduces a Mobility Scooter Registration Scheme; sets out how the Council will consider requests from tenants/leaseholders to store mobility scooters; and the factors it will consider when granting or refusing storage permission. If permission is granted, this will be in writing. The process will be fully reviewed every two years but will be updated as required subject to regulatory or statutory needs.
- 1.6 Failure to comply with the terms of the permission will result in the mobility scooter being removed immediately from the accommodation.

2. Definition of mobility scooter

- 2.1 A mobility scooter is defined for the purpose of this process as an electric or petrol scooter or 'invalid carriage' under the use of Invalid Carriages on Highways Regulations 1988. The regulations divide these machines into three classes:
 - Class 1 covers manual wheelchairs
 - Class 2 applies to machines designed for use on the pavement. 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 (either electric or petrol) that can be used both on the pavement and on the road. 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 and display a nil duty tax disc.

3. Purpose of the process

- 3.1 The purpose of the process is to:
 - Ensure the Council meets its statutory obligations
 - Ensure that mobility scooters do not cause an obstruction or fire risk
 - Ensure tenants/leaseholders seek written permission for a scooter – either before obtaining a new one or for any scooter already owned
 - Ensure the Council takes a consistent approach to granting permission to tenants/leaseholders to keep and store a scooter
 - Accommodate requests for permission to keep and store scooters where practicable and not to refuse permission unreasonably
 - Carry out a full assessment prior to a decision on whether or not to grant permission
 - Ensure that where permission is granted, the tenant/leaseholder has adequate insurance; understands it and commits to

- the terms and conditions of it
- Provide clear information on the terms and conditions permission is granted on
- Provide a clear, written explanation of the reasons for refusing permission
- Manage the number of scooters on any one site, so as not to compromise the safety of residents or anyone else on the site
- Ensure that tenants/leaseholders are aware of their responsibilities to others

4. Residents affected by this process

- 4.1 This process affects anyone with a mobility scooter, especially people living in sheltered housing schemes and in flats with communal areas.

5. Fire safety

- 5.1 The Council 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.
- 5.2 The Order requires that where necessary, fire precautions should be put in place to an extent that is reasonable and practicable.
- 5.3 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.

6. Ownership of mobility scooters

- 6.1 If a resident is considering obtaining a mobility scooter, they must seek permission in writing from the Council first, to agree storage of the scooter.
- 6.2 Whilst permission will not be unreasonably withheld, the Council's responsibility for the health and safety of all residents within a block of accommodation must be paramount.
- 6.3 Permission will only be granted if the tenant/leaseholder is able to store the mobility scooter in suitable storage facilities, if they are available where they live, or within their home if they live in general needs housing. This will be assessed and deemed suitable or not by the Council.
- 6.4 In accordance with this process, the Council will issue residents with clear guidelines on the ownership of mobility scooters if permission is given.
- 6.5 The Council will maintain a register of all scooter ownership and this will be reviewed on an annual basis.

7. Requesting permission

- 7.1 Whether you are considering moving into a Council rented or leased property, or you are an existing tenant/leaseholder and already have a mobility scooter, you must seek permission from the Council to keep and store a mobility scooter.
- 7.2 To request permission, tenants/leaseholders must apply in writing, using the appropriate form. The decision will be made after an assessment of the property has been undertaken. This can be carried out prior to the tenant/leaseholder obtaining a mobility scooter provided the tenant/leaseholder can provide the details of the model they are planning to get.

- 7.3 Tenants/leaseholders who apply for permission will be expected to produce their insurance certificate for inspection. Absence of adequate insurance cover may result in the permission being refused or a previously granted permission being withdrawn.
- 7.4 Tenants/leaseholders will be expected to ensure the mobility scooter is properly maintained, in accordance with the manufacturer's requirements. Failure to do this may result in permission being refused or a previously granted permission being withdrawn.
- 7.5 In considering whether permission should be granted, account will be taken of the potential impact on other people and permission will only be granted where the needs and wellbeing of other tenants/leaseholders and other users of the building are not put at risk.
- 7.6 Permission will be refused where:
- There is no safe storage in the tenant/leaseholder's home and no alternative safe storage and charging space can be provided
 - A major physical alteration to the premises is required, which the Council believes to be unreasonable in terms of cost and or disruption to other service users
 - A tenant/leaseholder fails to take out the necessary insurance cover
 - The scooter is deemed unsuitable by the Council following an inspection and assessment of the property and type and model of scooter proposed
 - The tenant/leaseholder wishes to keep more than one scooter

Examples of safe storage and charging spaces may include:

- A designated room within the property
 - A designated external space
- 7.7 Where permission is given, this is on the basis that the terms and conditions (set out in section 10) are adhered to.

8. Allocation of spaces

- 8.1 Where there are designated storage facilities for mobility scooters, allocation of spaces will be made in line with individual needs. Storage spaces will be allocated as and when they become available and applications will be considered in date order of request.
- 8.2 When there are no spaces available, a waiting list will be maintained. When a space becomes available, the tenant/leaseholder at the top of the waiting list will be contacted to proceed with the application for permission.

9. Right to review a decision

- 9.1 Where permission is refused, the council will explain the reasons and give details of the review process. The applicant has the right to review within 21 days of when the decision is made. A senior officer, not involved in the original decision, will deal with the review

10. Terms and conditions of the permission

- 10.1 Permission may be withdrawn if the terms and conditions of the permission are not adhered to; if the tenant/leaseholder purchases an additional or larger scooter; or if the process is updated to meet new regulatory requirements.
- 10.2 Storage and charging
- 10.2.1 Mobility scooters must not be stored or charged in a communal hallway, communal room or stairwell (unless

designated storage and charging facilities have been provided) at any time; because they could increase the risk of fire or obstruct a fire escape route.

10.2.2 If a mobility scooter is stored within a tenant/leaseholder's property, they must ensure that there is enough space within the home to store the scooter safely. An inspection may be arranged to assess for additional fire safety requirements. Mobility scooters are not permitted above ground floor level in sheltered accommodation or in lifts.

10.2.3 Tenants/leaseholders will need to gain permission for any alterations, for example the provision of storage facilities, ramp, access path or hardstanding. The Council 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. Leaseholders may be recharged for the cost of any such alterations.

10.2.4 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.

10.3 Portable Appliance Test (PAT)

10.3.1 Tenants/leaseholders are responsible for ensuring their scooter is serviced and maintained regularly and for having an annual Portable Appliance Test (PAT). This must be carried out by a qualified electrician. If any charging equipment fails the PAT, it is the tenant/leaseholder's responsibility to arrange the repair of it or replace it before using it.

10.3.2 A certificate to confirm the scooter has passed the Portable Appliance Test (PAT) needs to be provided to the Tenancy Services Team each year.

10.4 Servicing/maintenance

10.4.1 It is important that the scooter is properly maintained and serviced regularly. This will prolong its life and reduce the risk of fire and mechanical breakdown. The manufacturer's handbook will detail how often the scooter should be serviced.

10.5 Health and safety to others

10.5.1 Where designated internal areas have been provided and permission granted to store within a communal area, residents must comply with any fire safety and health and safety procedures that have been put in place.

10.6 Lifts

10.6.1 The use of mobility scooters in lifts is not permitted.

10.7 Insurance

10.7.1 Tenants and leaseholders must ensure they have appropriate public liability insurance cover against accidents or other injury to third parties or themselves, as well as any damage to the internal or external parts of the building.

10.7.2 Any damage to Council property caused by a mobility scooter will be recovered through the owner's insurance company via the tenant/leaseholder. If the owner does not have a current insurance certificate, they will be personally liable for all costs, and asked to remove the scooter immediately.

11. Enforcement

11.1 Mobility scooter owners cannot store mobility scooters anywhere in Council property or on Council land without written consent from the Council, and as per this process.

11.2 The Council reserves the right to withdraw permission to store a mobility scooter at any time if any tenant does not

adhere to this process. The resident will be asked to remove the mobility scooter immediately, and potentially, permanently.


- 11.3 Failure to comply with this process is also a breach of tenancy and enforcement action will be taken to remove the mobility scooter.

12. Communal storage facilities

- 12.1 The Council is under no obligation to provide storage facilities where no existing provision exists.
- 12.2 The Council can refuse a tenant/ leaseholder the right to store a mobility scooter if no suitable storage facilities can reasonably be provided.



If you require this information about Mobility Scooters in large print or in another format please contact us on:

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