

Motorised Scooter Policy

2014 – 2017

This document details the Council's policy in relation to the storage of motorised scooters at our sheltered housing schemes and communal areas in general needs properties throughout the Borough. If you want this information translated into another language or in another format such as CD, Braille, or large print please phone 0 1 2 6 8 4 6 5 1 9 8 or e-mail ndunge.kivuitu@basildon.gov.uk

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1. Introduction

- 1.1 Basildon Borough Council (BBC) recognises that our residents should, under the Equalities Act, have a quality of life which allows them to maximise independent living. Although the Council does not have an obligation to provide scooter storage for its tenants, there is recognition of the value that a mobility scooter can bring to the lives of some tenants by maintaining and increasing their independence.
- 1.2 Whilst residents meet the cost of buying or leasing a mobility scooter themselves, the Council have a duty to ensure that they are being used legally and safely and in accordance with the requirements of Regulatory Reform (Fire Safety) Order 2005 and we have worked closely with Essex County Fire and Rescue Service (ECFRS) in developing this policy. In communal areas of Council owned general needs flat blocks or sheltered housing schemes, mobility scooters should only be stored and charged in designated communal areas or inside individual properties.

2. Aims and Objectives

The aims and objectives of the policy are to:

- Ensure the Council meet their statutory obligations in relation to the Regulatory Reform (Fire Safety) Order 2005
- Provide clear unambiguous directions and instructions on the safe usage, storage and legal requirements in relation to mobility scooter use in communal areas on sheltered schemes and in general needs flat blocks owned and managed by Basildon Borough Council.
- Ensure that residents obtain permission from Basildon Borough Council prior to purchasing a mobility scooter. This will ensure that before a scooter is purchased, a resident is advised on their options having regard to the storage space available in their flat block or sheltered housing scheme.
- Ensure that where permission has been given that residents are aware of their responsibilities relating to the storage, charging and use of mobility scooters in and around designated communal areas.
- Ensure that mobility scooters do not cause any obstruction when stored in designated communal areas and that they do not increase the risk of fire spread or affect anyone's escape route in the event of a fire.
- Ensure that residents are aware that they are liable for any injury caused to another person or damage to the communal areas or other Council property as the result of their use of a mobility scooter.

3. Definitions

3.1 Powered scooters are defined as 'invalid carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The Regulations divide these machines into three classes:

- **Class 1** manual wheelchairs
- **Class 2** machines designed for use on the pavement, travelling at 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** 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 speeds of 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 and must display a nil duty tax disc.

4. Context

4.1 Motorised scooters have become more popular over recent years and Basildon Borough Council has developed this policy in response to this increased usage.

4.2 Basildon Borough 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. The order requires that, where necessary, fire precautions should be put in place to the extent that are reasonable and practicable.

4.3 One of the requirements under the Order is that fire risk assessments focus on the safety of occupants and visitors to the building. Risk assessments have identified mobility scooters as a possible fire hazard when stored or charged in escape routes within communal areas.

5. Method Statement

- The introduction of this policy will govern the storage of mobility scooters in communal areas in sheltered housing schemes and general needs flat blocks owned and managed by Basildon Borough Council.
- This policy will also introduce the need for a service charge for the use of the scooter storage and re-charging facilities where they are available.
- Council staff will attend regular updates on the Motorised Scooter Policy including an explanation of their responsibilities relating to the policy.

- Sheltered Scheme residents will be given a summary explanation of the policy at the quarterly sheltered scheme residents meetings and a leaflet will be published explaining the policy.
- General Needs tenants moving into flat blocks will be given a summary explanation of the policy at sign up/start of their tenancy. Any changes of circumstances reported by the tenant will be dealt with by the relevant Estate Officer and the tenant provided with options appropriate to their needs.
- All existing tenants and leaseholders will be given the relevant information through Housing News and other council publications.

6. Allocation of space in Sheltered Housing Schemes (including Leaseholder Schemes)

- 6.1 Before a resident purchases any type of mobility scooter they must seek advice and permission from the Sheltered Scheme Coordinator. This will ensure that any issues surrounding the storage space to accommodate the scooter are discussed before a vehicle is purchased and brought into a communal area.
- 6.2 The Council's Sheltered Housing team will work with the Housing Allocations Team to ensure that prospective new residents are aware of the scooter storage situation prior to accepting the property offered.
- 6.3 If a resident already has a scooter when they move onto a sheltered housing scheme, the Sheltered Scheme Co-ordinator will try to find suitable storage using the criteria detailed in 6.6.
- 6.4 The Sheltered Scheme Co-ordinator will work with residents to provide storage provision for all mobility scooters. However, the majority of Council owned sheltered housing schemes do not have the capacity to accommodate large numbers of mobility scooters, so there is a need to assess on an individual basis and use a criteria for storage.
- 6.5 Mobility scooters must only be stored in designated communal areas or facilities provided and permission must be sought before doing so.
- 6.6 Allocation for a communal storage facility will be made on a first come first served basis. However, the Council will try, where is feasible to do so, to give preference to residents who have an up to date disabled blue badge. The Sheltered Scheme Co-ordinator will manage and allocate the spaces within each sheltered scheme through keeping a record of the date and time a request is made.
 - In the event that a storage facility is already in use, a member of the Sheltered Housing Team will record the details, confirm that existing

stored scooters are all in use and determine if there is adequate space for any additional scooters

- In the event that there is no available storage the Sheltered Housing Officer Team will work with the residents to achieve a mutually agreeable solution, which may mean adding their name to a waiting list, maintained locally.
- Discretion will be used if a request is made on medical grounds with an Occupational Therapist recommendation.
- It will be the responsibility of the resident to provide sufficient medical evidence to support their request for a space.

6.7 Where there are designated storage areas, residents must comply with Health & Safety legislation. Where a tenant fails to comply with the Council's requirements relating to the storage and use of mobility scooters, this will result in a breach of tenancy and the resident will be asked to remove the mobility scooter from the scheme or communal area permanently.

6.8 Residents in sheltered accommodation requiring a storage facility for their motorised scooter may wish to consider applying to the councils housing register for a transfer to an alternative sheltered scheme that provides provision for mobility scooters.

7. Allocation of space in General Needs Flat Blocks

7.1 Suitable space for the storage and charging of mobility scooters is very limited in most communal areas in general needs flat blocks and therefore careful consideration around the purchase of mobility scooters will be the responsibility of the tenant/leaseholder.

7.2 Applications for designated storage received from tenants and leaseholders will be considered on an individual basis and Officers will seek advice from Aids and Adaptations Team or the Occupational Therapist if required.

7.3 Scooters cannot be stored or charged in communal corridors or stairwells.

7.4 Tenants and Leaseholders will need to gain permission for any alteration that may be required to accommodate a mobility scooter. For example, the provision of a ramp, access path or hard standing, garage, shed etc.

7.5 Residents in general needs accommodation, requiring a storage facility for their motorised scooter may wish to consider applying to the councils housing register for a transfer to a sheltered scheme that provides provision for mobility scooters.

7.6 The Tenancy & Estate Officer will discuss a range of options available and an individual needs assessment will be undertaken and all reasonable options considered.

8. Recharging of batteries and maintenance of scooters

8.1 Mobility scooters should be recharged within the designated charging area, if applicable, or inside the home, and should be charged according to the manufacturer's instructions.

8.2 Recharging should not be undertaken overnight and mobility scooters should never be left on permanent charge.

8.3 All scooters must have an annual Portable Appliance Test (PAT) to ensure that the charging equipment is in good condition. The PAT test will be carried out by Basildon Borough Council on an annual basis and arranged by the Sheltered Scheme Coordinator or Tenancy and Estate Officer for General Needs properties. Residents must make sure that their equipment is available for testing when notified of the date. If any equipment fails the PAT test, it will be the scooter owner's responsibility to repair/replace the damaged item before it can be used again. Residents should ensure that the scooter is serviced and maintained regularly and this is the responsibility of the scooter owner.

8.4 Scooters cannot be stored in communal areas apart from the designated scooter storage areas.

8.5 If designated storage space is not available, mobility scooters must where possible be charged inside a resident's home until space becomes available.

8.6 Advice and guidance will be provided in conjunction with the Essex County Fire and Rescue Service to residents who chose to store scooters in their homes.

9. Insurance of scooters

9.1 Basildon Borough Council requires mobility vehicle owners who store mobility vehicles in Council owned property or use their scooters in any Council communal area, to have a valid certificate of insurance for the vehicle. A copy of the current insurance document for the vehicle must be provided to the relevant Council Officer either the Sheltered Scheme Co-ordinator or Tenancy and Estate Officer for general needs.

9.2 Insurance must include public and third party liability to cover damage to buildings, property and grounds, or injury involving residents, visitors or staff.

9.3 Only individuals who are insured to drive the scooters will be allowed to drive them in the communal areas of the scheme.

- 9.4 Any cost due to damage to property caused by a mobility scooter may be recovered by the Council through the owner's insurance company.
- 9.5 Basildon Borough Council will not be liable for any claims arising from the use of mobility scooters
- 9.6 If the scooter owner does not have a current insurance certificate, they will be personally liable for all costs, and asked to remove the scooter from the scheme immediately.
- 9.7 No more than one person is allowed on the scooter in the communal areas.
- 9.8 Basildon Borough Council will not be held liable for any damage/theft of any mobility scooter stored or left on Council owned property.

10. Responsible ownership of Mobility Scooters

- 10.1 The owner of a mobility scooter stored on Basildon Borough Council premises must make sure that the vehicle is serviced and maintained regularly and in line with the recommendations of the manufacturer.
- 10.2 Basildon Borough Council reserves the right to withdraw permission at any time if any resident does not comply with this policy.
- 10.3 Scooters must be set at their lowest speed whilst being used in the communal areas of our properties to avoid injury to other residents, visitors, and staff.
- 10.4 Residents will need to obtain permission for any alteration that may be required, for example the provision of a ramp, access path or hard standing, garage, shed etc. that is needed to enable the use of a mobility scooter.
- 10.5 Sheltered Scheme Co-ordinators / Tenancy & Estate Officers will regularly check the scooter storage to make sure that the area has been left, secure, tidy and free from any trip hazards. Mobility scooter owners are also responsible for making sure the storage area is left secure, tidy and free from trip hazards as well as reporting any concerns they have to the Council.

11. Charges for Use of Communal Scooter Storage Areas

- 11.1 A weekly charge will be made for the use of a communal mobility scooter storage facility. This charge is a contribution towards the cost of periodic testing of the scooter charging equipment, access to the secure facility and the repair and maintenance costs of the facility. It does not include the cost of electricity used to charge the mobility scooter (see 11.4 below)
- 11.2 The weekly charge will be agreed by the Council and is subject to an annual review.¹

11.3 The charge is not eligible for Housing Benefit and therefore needs to be paid by the resident.

11.4 The Council will provide separate meters for the supply of electricity to charge scooters. Users of these storage facilities are responsible for paying for their own electricity via an All Pay card facility, which is widely available at local retail outlets.

12. Service Impact Assessment

A Service Impact Assessment was completed for this Housing Mobility Scooter Policy and presented for challenge on 18th December 2013. There was no negative impact identified.

13. Glossary of Terms

Sheltered Housing Forum – a meeting held four times each year that is chaired by a resident and attended by all sheltered housing representatives and administered by the Council.

Sheltered Housing Residents Focus Group - a smaller group of reps in each small geographical area, with a resident chair, that meet bi-monthly to help develop the service, approve and assist with policy development administered by the Council

Appendix 1.

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Sheltered Housing Schemes with Scooter Store Provision

The following schemes do have mobility scooter storage facilities available:

- Afflets Court, Basildon
- Bradwell Court, Wickford
- Buckwyns Court, Billericay
- Carvers Wood, Billericay
- Cromer Avenue, Laindon
- Elliot Close, Wickford,
- Fairhouse Court, Basildon,
- Fellcroft, Pitsea
- Felmore Court, Felmores
- Halstead Court, Wickford
- Haven Close, Vange
- Havengore, Pitsea
- Helmore Court, Laindon
- Hillhouse Court, Billericay
- Holgate, Felmores
- Keats Way, Wickford
- Kenilworth Place, Noak Bridge
- Lanhams Court, Felmores.
- Maydells, Pitsea
- Meadow Court, Wickford
- Nichol Claremont, Laindon
- Oakdene, Felmores
- Pintails, Pitsea
- Queens Park Court, Billericay
- Ravensfield Court, Basildon
- Rydene, Basildon.
- Somercotes Court, Laindon
- Spencers Court, Wickford
- Spinneywood, Laindon
- St Gabriels Court, Pitsea
- Tanswell Court
- The Brambles, Laindon
- Thornton Way, Laindon

This list is only a proposed plan of schemes. The final decision will include full consultation with residents of each scheme.

Appendix 2

Sheltered Housing Schemes without Scooter Store Provision

The following sheltered housing schemes do not currently have any mobility scooter storage available,

- Bartlow Side, Felmores,
- Charterhouse, Basildon
- Gt Oxcroft, Laindon
- Hill Court, Basildon
- Hockley Road, Basildon,
- Mill Green, Pitsea,
- Parkhurst Road, Pitsea
- Pattocks, Basildon
- Riverview Court, Vange,
- Vange Hill Court, Vange
- Whitmore Court, Basildon

This list is only a proposed plan of schemes. The final decision will include full consultation with residents of each scheme.