

**SOUTHAMPTON CITY COUNCIL**  
**ENVIRONMENT & ECONOMY DIRECTORATE**  
**TENANCY & ESTATE MANAGEMENT POLICIES**

**MOBILITY SCOOTERS**

## REVISION SHEET

Revision Number	Last Review Date	Planned Review Date	Key Changes	Comments
1	12/12/12		New Policy	Presented to Cllr Payne as draft
2	13/01/13		Updated following staff consultation	
3	20/01/13		Update	Presented at CMB for Councillor Approval

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## INTRODUCTION

Southampton City Council is committed to delivering high quality services to meet our vision of enabling our customers to achieve the best possible outcomes for themselves, their family and their community.

Southampton City Council supports residents with mobility issues utilising scooters to increase their mobility, independence and therefore improve their quality of life.

This policy provides clarity and guidance on the use and storage of mobility scooters and promotes responsible scooter ownership and use.

Southampton City Council recognises and actively promotes a good quality of life for all residents and that mobility is often a key factor in a person's well being. Residents want to remain independent even when their health or mobility declines and mobility scooters can help in this respect. Without easy means of retaining links with their community, older people are at greater risk of social isolation.

The aims of the policy are:

- To highlight the positive aspects that owning and using a mobility scooter can bring to a person's life whilst also recognising that the storage and charging of mobility scooters must be accomplished safely for ALL residents, staff and visitors
- To protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors.
- To ensure that all existing and new residents are aware of the options for scooter storage as well as other sources of information relating to scooter usage and ownership.
- To ensure we support residents in order to maximise their independence and understand their responsibilities as a scooter user.
- To ensure where possible we meet tenant's individual needs by accommodating mobility scooters.
- To support all Housing Staff in the management of scooter related issues.
- To encourage residents to purchase adequate scooter insurance, have their scooters serviced annually and maintain them in good working order.
- To ensure that residents are aware of SCC Housing policy in the event of damage to the building or grounds.
- To ensure residents, Housing staff and other strategic partners are involved in the monitoring and review of the policy.

This policy aims to recognise our residents' lifestyles, expectations and their aspirations in relation to scooter usage. The demographic trends signal very substantial increases in the numbers of older people and an associated rise in mobility vehicle use. Mobility scooters are becoming cheaper in real terms and people are choosing to purchase them as a means of accessing their community.

SCC recognises that the increasing popularity and affordability of owning mobility scooters is creating issues in our buildings, most of which were not originally built to accommodate scooters.

There is a need to identify storage and charging solutions that support the safe use of mobility scooters whilst recognising that different solutions may be necessary in terms of building design, financial considerations and building use.

### **Hampshire Fire & Rescue Service (HFRS)**

Hampshire and Fire Rescue Service fully support this policy. The balance of supporting people to have a full and enjoyable lifestyle is balanced by the need to ensure both personnel and wider public safety to our local population. This policy supports the use of mobility scooters yet highlights issues that need to be addressed in the pursuit of safety. HFRS are clear that the unsafe or hazardous storage of scooters is extremely dangerous to all persons in the event of a fire.

### **CONSULTATION & COMMUNICATION**

Southampton City Council is committed to full consultation in all areas of Housing Policy. However, there are certain areas where, as a responsible landlord, policy decisions have to be taken in line with Health and Safety consideration, legislation and guidance from bodies such as the Fire Service. The safe storage and charging of mobility scooters is one such area.

Discussions have been held with the Supported Housing Tenants Forum as well as the Joint Staff & Tenant Working Group but these have focused around the issues and concerns that we have. At both forums the position of Southampton City Council was that scooters **must not** be stored in communal areas as they are a hazard and that a policy *based* around that central premise would be developed and further discussed.

Communication will now focus on discussing with residents who already own mobility scooters about what options there are for them, placing an emphasis on finding a solution where residents can keep their scooters and maintain their independence wherever possible taking into account other Council policies, plans and resources. The council will also aim ensure that current residents who are thinking of purchasing a scooter understand the Council's policy and identify how best to inform potential residents of this policy.

### **DEFINING MOBILITY SCOOTERS**

There are three types of 'invalid carriage and they are defined in 'The use of Invalid Carriages on Highways Regulations 1988':

#### **Class 1 – Manual Wheelchairs**

These wheelchairs are not electrically powered. You use your arms to move the wheelchair forward or you are pushed by another person.

### **Class 2 - Powered Wheelchairs and Scooters**

Legally these scooters can travel up to 6.4kph (4mph) on pavements and are allowed on the road to cross from one side to another. Within the category of class 2 some are more suited to indoor use as they are smaller and more compact.

### **Class 3 – Powered wheelchairs and other outdoor powered vehicles including scooters.**

These vehicles generally have features similar to Class 2 but tend to be larger and can be used on the roads where they can travel up to 12.8kph (8mph). Class 3 vehicle users do not require a driving licence but should obey the Highway Code at all times.

*(See Appendix 3 for more detailed information)*

## **LEGISLATION**

The Council is committed to meeting its duties under the Equality Act 2010. There is a need to promote the independence of residents and ensure equal access. Understanding and responding to the diverse individual needs of our residents is fundamental to our values in Housing Services.

However, there will be a need to impose restrictions due to lack of storage facilities or potential breaches in health and safety regulations.

Storage of mobility scooters in communal areas such as corridors and community lounges heightens the risk to people in the event of a fire. This might either be a fire caused by the scooter itself or the obstruction caused to other residents as they escape. There is also a risk to emergency services when entering our buildings if communal areas are not kept clear, as highlighted in the HFRS statement earlier in this policy.

A full equalities impact assessment has been carried out and can be found in Appendix 4.

### **Fire Safety/Risk**

The Regulatory Reform Order (Fire) 2005 imposes obligations on the Council as the responsible person for the common parts of buildings to ensure that the emergency routes and exits are clear at all times in order to safeguard the safety of residents. It is an offence for any responsible person to fail to comply with that obligation where that failure places one or more persons at risk of death or serious injury in case of fire. The measures proposed in this policy will assist the Council in discharging its obligations under the Order.

If a communal hallway forms part of the designated means of escape from the building in the event of a fire, it should be kept clear and unobstructed at all times.

### **Portable Appliances**

All mobility scooters should have either a 'CE Mark', product manufacturers' claim that it meets the requirements of European Safety Regulations or the British Standard 'Kitemark'.

All scooters in designated scooter storage areas will be tested on an annual basis. Although the Council will fund this work, any scooter failing the test will have to be repaired within an agreed timescale or the scooter will be removed from the storage area (see Disposal Notice).

### **Tenancy Agreement; Section 3 Use of the Property**

The tenancy agreement already states that communal areas must be kept clear of obstructions and hazards and also that residents can be charged for the costs of putting any breaches of tenancy right, such as the removal and storage of a mobility scooter.

The council has a duty to eliminate potential fire risks or hazards to residents and property. If a tenant breaches the tenancy agreement then the tenant could be asked to remove the mobility scooter from the building permanently. Should the tenant fail to comply then a Notice of Seeking Possession and ultimately repossession proceedings can be commenced.

## **PURCHASING & HIRING**

Before a resident purchases a mobility scooter they must seek guidance from Housing staff. **All tenants will need written permission to have a scooter stored within their property or a designated storage area.**

The allocation of a space within a designated area will take place on a first come/first serve basis. Priority will be given if a request is made on medical grounds with an Occupational Therapist recommendation or if the tenant is in receipt of the mobility element of Disability Living Allowance (Personal Independence Payment from April 2013 for those between 60 and 64 years of age). It will be the responsibility of the resident to provide sufficient evidence to support their request for a space.

If a resident has been given permission to keep a scooter in their home we would recommend the smaller collapsible models which can be easily stored.

No mobility scooter can be stored or charged in any internal communal space unless an area has been specifically designated and set aside for this purpose. The council will continue to seek to provide as many of these areas as possible as part of its housing investment programme.

## **STORAGE & CHARGING**

### **Inside the resident's accommodation with permission**

The resident may be able to store and charge small scooters inside their property, but this is dependent on the layout and whether there is level and wide enough access through communal entrance areas but this is not guaranteed..

If no communal recharging facilities are available to enable recharging inside the resident's property, a suitable socket may need to be installed to recharge the scooter within a resident's own home. The Housing Investment Team should be contacted for advice as to whether or not this is an option.

Any permission granted for the installation of such a socket will specify for the work to be undertaken by a suitably qualified electrician and any work must be funded by the tenant. This will avoid misuse of communal electricity supplies and avoid trailing leads.

It is advisable for the resident to contact HFRS for their comments on the storage of large objects and appropriate charging of such items. SCC staff are able to assist residents in undertaking this advice.

### **Externally protected by a waterproof cover**

This will depend upon there being suitable space immediately outside the resident's accommodation for any scooter to be stationed for recharging and which does not cause an obstruction to others. Any power supply must not cause a trip hazard or raise any other Health and Safety concern and abide by all regulations.

Whilst residents have the choice of a number of covers for a scooter on the market they are of varying weather-tightness and durability. All are likely to give only limited security and protection. SCC are not responsible for any theft/ damage to equipment as a result of this storage option.

### **In a manufactured scooter store unit**

This may be an option for residents in ground floor properties who can afford to purchase a storage unit. Small secure units are available on the market with a built in charging unit. Details can be found on <http://www.site-safe.co.uk>

Residents must have written permission from their local housing office in advance of any storage unit being positioned on Council land. The Council would not normally give permission to run power to external sheds/units due to Health and Safety concerns over trailing leads. If required, scooter batteries could be charged within the resident's own property.

### **Communal Areas**

Mobility scooters cannot be stored or charged in communal areas unless there is already designated scooter storage/charging area. Where there are designated storage areas, residents must comply with Health & Safety



regulations and relevant Building Regulations. Scooters will not be allowed to be charged overnight.

## **TRAINING**

It is advisable for the resident to go on a training course especially if the user is not used to driving. We would recommend that all mobility scooter users undergo training on the usage and control of the scooter they are purchasing, whether a Class 2 or Class 3 scooter.

## **SPEED LIMITS**

Scooters must be ridden safely and in a responsible manner within the building and grounds taking due care and consideration of other people and surroundings. All scooters must be set to the lowest speed setting whilst driven inside. E.g. tortoise

## **LIFTS**

If using a mobility scooter in a lift, users must ensure that they take due care and attention to the property and other lift passengers. Large Class 3 scooters must not be transported in lift due to the difficulty of turning around in a confined space and/or backing out of a lift when arriving at the required floor.

Mobility scooter users should ensure that they can reach the lift call button without their scooter touching the lift doors to prevent any damage to property. If users cannot successfully undertake this action, they must not use their scooter in the lift.

Mobility scooter users should also ensure that they can safely manoeuvre their scooters for lift entry and exit especially on upper floors where there may be open stairwells and landing barriers.

It should be noted that any damage caused to a lift can potentially render it 'out of service' for a period of time. Lifts are sensitive to damage and any small knock can potentially put it out of service. Residents in supported housing accommodation rely heavily on lifts and any period of time that a lift is out of order is likely to cause significant inconvenience to a large number of residents.

## **INSURANCE**

SCC strongly advocates that all scooter users should have adequate insurance to cover against theft, injury to themselves and others, including SCC staff, and also damage to property.

Southampton City Council's tenant contents insurance can cover the above requirements for an additional premium.

There are many companies also offering insurance and advice can be found through the Disability Living Foundation. Reputable insurers can be checked

as they should be registered with the British Insurance Brokers Association – [www.biba.org.uk](http://www.biba.org.uk)

The comparison websites are also a source of information.

## **ALTERATIONS & IMPROVEMENTS**

Under SCC's Adaptations Policy, an adaptation for a wheelchair/ scooter would only be considered if the person is eligible for an NHS wheelchair and needs to use either a wheelchair or scooter outside.

If such an adaptation is agreed, and permission granted, the storage and safe charging of the scooter remains the responsibility of the tenant of the accommodation in question.

If the resident does not meet the criteria for an NHS wheelchair, the Council will not be responsible for offering any solution for access/storage of the scooter and this will need to be taken into consideration prior to purchase.

Some properties will not be suitable for scooter storage even if a resident is eligible for assistance with adaptations to their property. Any alterations or improvements to a property will need the prior written consent from the Housing Investment Team.

Residents are strongly advised to fully consider storage solutions PRIOR to making any purchase of a powered scooter/wheelchair.

Not all properties are able to have major structural adaptations undertaken due to build and design of the property. Decisions on the structural viability of an adaptation will rest with Housing Investment Team.

## **ALLOCATIONS AND LETTINGS CONSIDERATIONS**

Choice Based Lettings will include information with regards designated scooter areas so that accommodation can be allocated appropriately.

Where permanent adaptations have been made to properties this must be recorded as well as properties where there is no solution.

If, following the implementation of this policy, no adequate scooter storage is available and a current resident with high mobility needs can no longer store their scooter, the tenant may be given additional welfare points to enable them to move to more suitable accommodation. Each case will be considered individually and will be dependant on the individual's circumstances as well as the future of the property that they currently reside in, i.e. whether additional scooter storage and charging is planned.

## **DISPOSAL OF ITEMS IN A COMMUNAL AREA**

The Council as a responsible landlord has an obligation to ensure the safety of its residents and visitors, including Council staff.

The Regulatory Reform Order (Fire) 2005 states it is not acceptable for any items to be left/stored in the communal areas/fire escape route.

The communal areas of all Southampton City Council flats are inspected on a regular basis.

Users who store mobility scooters in communal areas contrary to this policy may have their scooter removed and disposed of under the Local Government (Miscellaneous Provisions) Act 1982 s.41.

Should the council need to take this action, then the user will be charged for all associated costs of removal, storage and disposal in accordance of the above Act.

## **COMMUNICATION TO RESIDENTS**

.This policy reaffirms what is already contained in the tenancy agreement and assists officers in making decisions about mobility scooters.

Officers will be working to this policy from xxxx onwards and to ensure residents are aware, information has already been placed in Tenants' Link, information sessions held with the Supported Housing Tenants Forum and the Joint Tenant and Staff working Group, the intention is to promote this policy in the following way:

1. Send a letter to each tenant in Supported Housing complexes, tower blocks and anyone living in SCC managed accommodation who is known to have a powered scooter/wheelchair stored in their property both explaining the Council's policy regarding items stored in communal areas and asking people to highlight to support staff or tower block wardens any difficulties this may cause to them.
2. Publish a further information in Tenants' Link
3. Display information on community notice boards

Staff will then work with individuals who may find they have difficulties complying with the policy and will seek to explore available options with them, placing an emphasis on maintaining the maximum independence for residents.

All current affected tenants and new tenants to supported housing complexes will receive a copy of the Guidance Sheet (Appendix 1) and Permission Sheet (Appendix 2) for their information.

## APPENDIX 1

### GUIDANCE SHEET

We would recommend you consider the following before purchasing a scooter.

1. **You will need written permission to keep a scooter.** Please check if your property is suitable for a scooter or if there is a waiting list for the designated scooter storage area.
2. **Where will you store and charge your scooter?** If kept within your own home you must be able to store it safely and not cause any damage to any doors/door frames whilst entering and leaving your home.
3. If you are planning on storing a scooter in your home, please make sure it is safe to do so and that it will not cause an obstruction in the event of evacuation such as in a fire.
4. You will need to ensure that the charging point/ socket is appropriate to your scooter
5. You must check if you can take your scooter in the lift in your block.
6. Seek professional advice before buying a scooter, either from an occupational therapist or a reputable dealer or possibly look on [www.dfl.org.uk](http://www.dfl.org.uk)
7. Make sure that you know what all the switches and levers are for on your scooter.
8. **You will need written permission to make any adaptations or install external storage BEFORE you do the work.**
9. Recharging or storage of a scooter is not permitted in any communal areas, unless there are dedicated storage and charging bays which are clearly labelled as such.
10. Does your disability affect you getting on and off your scooter? If so how will you manage this?
11. If there is designated scooter storage/charging area in your block consider how you will travel to and from this area as you will not be

permitted to drive your vehicle to and from your front door.

12. How far will you travel in your scooter?
13. Can you get the scooter into your car?
14. What is the cost for adequate insurance, to cover accidental damage, third party liability? Can you afford to run a mobility scooter? Are you able to afford not only the initial purchase of the scooter, but all other associated costs such as insurance, maintenance and storage costs?
15. You must agree for a portable appliance tests to be completed on an annual basis on your scooter if you store it in a designated storage bay. Any resulting repairs or servicing required will have to be completed within four weeks, at the cost to the owner, however, during this time you will not be permitted to charge the scooter in the SCC provided facilities

**Some useful web addresses and contacts:**

[www.dftl.org.uk](http://www.dftl.org.uk) – Disability Living Foundation

[www.bhta.com](http://www.bhta.com) – British Healthcare Trades Association

[www.direct.gov.uk/en/TravelandTransport/Highwaycode](http://www.direct.gov.uk/en/TravelandTransport/Highwaycode)

[www.ageconcern.org.uk](http://www.ageconcern.org.uk) – Factsheet no.26 Travel and transport

[www.motability.co.uk](http://www.motability.co.uk)

## APPENDIX 2

### **PERMISSION TO KEEP A MOBILITY SCOOTER**

1. Tenants and leaseholders must apply for written permission to store a scooter. To apply contact your Housing Management Officer or Housing Support Co-ordinator if the accommodation is a Supported Housing Complex.
2. New tenants who already have a mobility scooter will not automatically be given permission to keep a mobility scooter and will be subject to the same assessment criteria as existing tenants.
3. Unless written permission has been granted from Housing Services **NO** mobility scooter is to be stored within the communal areas of the Council owned property.
4. Scooters kept in designated areas will be subject to a yearly portable appliance test. Any scooter failing this will have to be repaired within an agreed timescale; otherwise permission to store will be withdrawn.
5. Any damage to the Council's property caused by a mobility scooter may be charged as a Maintenance Recovery Charge.
6. Failure to comply with your tenancy agreement may lead to you being served with a Notice of Seeking Possession and possession proceedings being started for your eviction. You will also be required to remove the mobility scooter from the building permanently.
7. Where written permission is granted the resident must agree and comply with all conditions placed upon the storage and usage of the vehicle. The Council reserves the right to withdraw permission at any time should the conditions of the permission be broken or the needs of the block change.

## APPENDIX 3

### **Class 2 vehicles can be divided into subsections:**

#### Micro scooters

- Small and compact
- Designed to fit easily into a car boot
- Indoor and outdoor use
- Short distance range

#### Indoor/Outdoor Scooters

- Three or four wheeled vehicles
- Indoor use
- Limited outdoor use on even surfaces
- Short/medium distance range
- Can be collapsed/dismantled for transporting

#### Outdoor Scooters

- Three or four wheeled vehicles
- Not for domestic use
- Outdoor use on uneven ground
- Medium/long distance range
- Can be dismantled for transporting

#### Buggies

- Four wheeled vehicles (car shaped)
- No indoor use
- Outdoor use including rough ground
- Medium/long distance range
- Cannot be dismantled.

### **Class 3 vehicles can be divided into:**

#### Scooters

- Three and four wheeled vehicles
- Not for domestic and indoor use
- Outdoor use including uneven ground
- Covers long distances

#### Buggies

- Four wheeled vehicles (car shaped)
- Covers long distances
- Cannot be dismantled

In addition Class 3 vehicles also include:

- Speed selector – two speeds for road and pavement use
- Lights, indicators, horn, rear view mirror, rear reflectors – required by law

If using a Class 3 mobility scooter you must also comply with relevant eyesight requirements and not driving under the influence of alcohol or drugs. Class 3 vehicles are not allowed on motorways, bicycle tracks or bus/cycle lanes. Although legally allowed on dual carriageways this is not recommended.

Powered wheelchairs and scooter which have a speed over 5pmh and the unladen weight is over 113.4kg must register with the DVLA. To register and licence a mobility scooter a V55/4 form has to be completed if it is a new vehicle or a V55/5 if it is a used vehicle. A nil duty tax must be displayed. Information can be found at [www.direct.gov.uk/dvla/local](http://www.direct.gov.uk/dvla/local)



**WAITING LIST FOR SCOOTERS****NAME OF SCHEME:**

Name of Resident	Flat No:	Date of Application	Remarks

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