



# **Kirklees Council Mobility Scooter Policy**

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## 1 POLICY STATEMENT

- 1.1 Kirklees Council (KC) recognises that the safe use of mobility scooters in all its properties can enable tenants and leaseholders to maintain and increase their independence and social inclusion, positively impacting their quality of life.
- 1.2 This policy sets out how the Council will consider requests from all tenants and leaseholders to keep electric mobility scooters and the factors it will consider when granting or refusing permission.
- 1.3 It is recognised that the use of mobility scooters can enhance the quality of life for many older and less mobile residents who may otherwise be limited in their ability to access common facilities provided in premises and access external facilities. KC is committed to maximising choice and independence and recognises the benefits of mobility aids such as mobility scooters to tenants and leaseholders in maintaining their independence.
- 1.4 However, the Council is aware that the increase use of mobility scooters comes with corresponding fire safety risks and has a duty to ensure high standards of health and fire safety within properties.
- 1.5 This policy aims to balance the needs and aspiration of tenants and leaseholders to keep mobility scooters with the Council's responsibilities to maintain a safe living environment for residents, particular in relation to potential fire risks.

## 2. SCOPE AND DEFINITION

- 2.1 A mobility scooter is defined for the purpose of this policy as an electric scooter or electric wheelchair designed specifically for outdoor use. This does not apply to lightweight wheelchairs suitable for in door use.
- 2.2 Mobility 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 wheelchair (not covered by the policy)
  - **Class 2** - applies to motorised wheel chairs, designed for use on the pavement travelling at speed of up to 4mph. They may also be used to cross the road or where there is no pavement
  - **Class 3** - applies to machines that can be used both on the pavement where they are limited up to 4 mph, and on the road where they can travel up to 8mph. These vehicles are required by law to be registered with the DVLA for road use. Insurance will be a requirement if the vehicle is to be used and stored in a Retirement Living Schemes, Extra Care Schemes or in communal areas of flats

### **3. LEGISLATION, REGULATION AND GUIDANCE**

3.1 This policy takes into account the following legislation and guidance:

- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- The Care Act 2014
- The National Fire Chiefs Council Mobility Guidance for Residential Buildings 2018
- Management of Health and Safety at Work Regulations 1999
- Use of Invalid Carriages and Highways Regulations 1988
- Hackitt Report - Building a Safer Future

### **4. AIMS**

4.1 The aim of the policy is to:

- Ensure that the Council meets its statutory obligations
- Ensure that mobility scooters do not cause an obstruction and do not increase the risk of fire spread, or block escape routes in the event of a fire
- Ensure KNH and Pinnacle Group staff are aware of the risks and can advise tenants and leaseholders accordingly to take appropriate action when faced with fire risks
- Ensure that all tenants and leaseholders are aware of the health and fire safety risks and responsibilities associated with mobility scooter storage and charging which may be undertaken by others on their behalf e.g. care worker, support worker, relative etc
- Ensure the Council takes a consistent approach to granting permission to tenants and leaseholders to keep a scooter
- Ensure all tenants and leaseholders are provided with fire safety advice and obtain permission prior to purchasing or leasing a mobility scooter
- Ensure tenants and leaseholders adhere to their responsibilities relating to the storage, charging and use of mobility scooter stores once permission has been granted
- That all tenants and leaseholders are aware that they are liable for injury caused to another person, damage to stores, communal areas and or other Council property as a result of their mobility scooter
- Manage the number of scooters that can be kept on any one site so that the health and safety of residents or other users of the site is not compromised

## **5. PERMISSION TO KEEP AN ELECTRIC SCOOTER**

- 5.1 All tenants must apply for permission and get approval before purchasing a mobility scooter.
- 5.2 The Council will generally give permission, provided that the scooter/motorised wheelchair can be stored and charged safely. The policy will apply to all requests to keep a scooter from existing or prospective tenants, and those who currently have a scooter without permission.
- 5.3 All new tenants will be made aware of this policy at sign up and referred to the Kirklees Council Tenancy Agreement, which sets out the rights and responsibilities of tenants and the Council. Section 6.1 states 'you must not allow a shared area including stairway, passage-way, corridor, lift, drive, path, lane or road to be obstructed at any time. You must not allow any shared area to be used in a way which may cause a nuisance.'
- 5.4 Section 6.3 states 'you must not store anything in any shared area without the Council's permission in writing.'
- 5.5 All tenants and leaseholders must apply for permission to keep a mobility scooter by completing a Mobility Scooter Application Form which will be sent to the relevant Housing Officer for approval.
- 5.6 Permission will be considered in conjunction with the KNH Fire Safety Technical Officer or the responsible Pinnacle Group Officer who will carry out a risk assessment prior to permission being granted or refused. The Officers will assess whether there is an approved safe area to store and charge the scooter.
- 5.7 Examples of safe storage may include a designated external storage space or if in Extra Care, the use of the storage facilities within the main building.
- 5.8 Permission will only be granted where the use and storage of a scooter does not put other residents and users of the building at risk.
- 5.9 **Permission will be granted:**
- Where there is safe storage and a charge point for the scooter
  - The tenant/leaseholder has public liability insurance to cover against accidents, injury to third party and themselves and damage to internal or external parts of the building
  - Tenant and leaseholders can provide their insurance certificate for a Class 3 scooter
  - A current Portable Appliance Test Certificate is provided by the owner on an annual basis

- Permission can be withdrawn if the conditions are not adhered to or if the policy is to be updated to meet new regulatory requirements
- Periodic checks will be undertaken to ensure the policy is complied with by KNH and Pinnacle Group staff

#### 5.10 **Permission will be refused:**

- Where there is no safe storage in the tenants or leaseholders flat and no alternative external storage or charging space can be provided. Consideration needs to be given to this by the applicant and officers when making decisions in relation to the allocation and acceptance of Council accommodation
- Where alterations to the premises are required which are unreasonable in terms of costs to the Council and disruption to other service users
- A tenant/ leaseholder fails to obtain the necessary insurance cover
- The scooter is too large to fit through existing entrances

5.11 Where a scooter is stored or charged on Council owned premises without permission, or outside the terms of permission granted, the Council reserves the right to remove the scooter to ensure health and safety and will recharge the tenant/leaseholder for any removal and storage /disposal costs. This will be undertaken by KNH or Pinnacle Group staff.

### **6. SAFE STORAGE AND CHARGING OF MOBILITY SCOOTERS**

6.1 The National Fire Chief Council has stated that in residential buildings, mobility scooter fires can pose a fire risk to residents, employees, fire fighters and other relevant persons.

6.2 In order to minimise fire risk mobility scooters must not be stored or charged in communal hallways or hallways inside the home or stairwells at any time due to the increased risk of fire and obstruction of a fire escape route.

6.3 If the mobility scooter is being stored in the property there must be sufficient space to store the scooter safely. An inspection must be completed by the KNH Fire Safety Technical Officer and the responsible Pinnacle Group Officer to assess adequate smoke detection and internal fire doors.

6.4 The resident will need to seek permission for any alterations for storage facilities, ramps, access paths, hard standings, or electrical alterations.

### **7. ALLOCATION OF STORAGE /CHARGING FACILITIES**

7.1 In some Retirement Living Schemes, Extra Care Schemes and other council properties there will be designated storage facilities for mobility scooters. These will be allocated based on need. Blue Badge Holders will be given first priority and subsequent allocations will be in date order of when permission to keep a scooter was granted. This will be reviewed to ensure that the storage facilities are used for the storage of scooters.

7.2 All tenants and leaseholders are responsible for ensuring their scooter is serviced and maintained regularly.

## **8. VISITORS WITH MOBILITY SCOOTERS**

8.1 All tenants and leaseholders are responsible for ensuring that any visitors to their home adhere to the KC Mobility Scooter Policy. Visitors with scooters should find a safe location to park that is outside the communal or shared areas and one which does not cause an obstruction.

## **9. ENFORCEMENT**

9.1 Where a scooter is stored or charged on Council owned premises without permission, or outside of the terms of permission granted, the Council reserves the right to remove the scooter to ensure the health and safety of residents and will recharge the tenants /leaseholders for any removal costs.

## **10. REVIEW**

10.1 This policy will be reviewed in December 2025 or if subject to legislative changes.