

1. Policy statement

- 1.1 This policy sets out how the council will consider requests from tenants and leaseholders to keep electric mobility scooters, and the factors it will take into account when granting or refusing permission.
- 1.2 Leeds City Council is committed to maximising choice and independence, and recognises the value of mobility aids such as mobility scooters to tenants in maintaining their independence.
- 1.3 At the same time, the council has duties to ensure high standards of health and safety within blocks of flats, maisonettes and sheltered schemes for tenants, leaseholders, staff and visitors. The council has limited storage facilities for mobility scooters which are becoming more common, especially in sheltered accommodation.
- 1.4 This policy aims to balance the needs and aspirations of tenants and leaseholders to keep mobility scooters with its duties to maintain a safe living environment for tenants, particularly in relation to potential fire risks.
- 1.5 This policy will be implemented from 2 June 2014.

2. Scope and definitions

- 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 indoor use.
- 2.2 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 wheelchair (not covered by the policy).

Class 2 - applies to motorised wheelchairs, 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, like class 2 vehicles they are limited to 4 mph, and on the road where they can travel at up to 8 mph. 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. Insurance is not a legal requirement but is essential if the vehicle is to be used and stored in a Sheltered Housing Scheme or communal area.

3. Aims

3.1 The aim of the policy is to:

- ensure the council takes a consistent approach to granting permission to tenants and leaseholders to keep a scooter
- ensure tenants ask for written permission before obtaining a new scooter
- accommodate all requests for permission to keep a scooter 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 that the tenant has adequate insurance and understands and commits to the terms and conditions they are required to adhere to
- provide clear information on the terms permission is granted on
- provide a clear explanation in writing of the reason(s) for refusing permission
- manage the number of scooters in any one site so as not to compromise the safety of residents or other users of the site, and
- ensure that tenants and residents are aware of their responsibilities to others.

4. Requesting permission

4.1 Leeds City Council's Tenancy Agreement sets out the rights and responsibilities of tenants and the council.

Section 2.13 Tenancy Agreement states:

If you wish to keep a mobility aid such as a scooter or motorised wheelchair you must get written permission first. This will normally be granted.

4.2 This policy sets out the circumstances in which the council will grant permission to keep a mobility scooter or motorised wheelchair. The council will generally grant permission, provided the aid can be stored and charged safely.

- 4.3 This policy will apply to all new requests to keep a scooter, to customers considering moving into a council property and retrospectively to existing tenants who already have a scooter without permission.
- 4.4 Tenants and residents who wish to obtain a mobility scooter must apply in writing to their Local Area Office for permission using the form in **Appendix 1**. The decision will be made in conjunction with the Fire Safety Officer following a property inspection. This can be carried out prior to the tenant obtaining a scooter provided the tenant can provide details of the model they are planning to get.
- 4.5 The council will respond to requests within 28 days of receipt. The terms and procedures in force at the time of applying for permission will determine whether permission is granted.
- 4.6 Requests to keep a mobility scooter will be considered by the local housing office in conjunction with the Fire Safety Officer who will carry out a risk assessment prior to permission being granted or refused.
- 4.7 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, residents and other users of the building are not adversely put at risk.
- 4.8 The council will consider requests based on the information received from the tenant or leaseholder. The council will assess whether there is an approved safe area to store and charge the scooter.
- 4.9 Permission will be refused where:
- there is no safe storage in the tenant or leaseholders flat 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
 - if the scooter is too large to fit through internal or external entrances, or
 - if the tenant wishes to keep more than one scooter.
- 4.10 Examples of safe storage and charging spaces may include:
- a designated room within the property
 - a designated communal room
 - a designated external space
- 4.11 Where permission is refused, the council will explain the reasons and give details of the appeal process. Where permission is given, this will be conditional, and will outline the storage and charging arrangements available.

5. Terms and conditions of the permission

- 5.1 Where permission is granted, this will be based on certain conditions. The letter granting permission will specify the size and type of scooter that can be kept, and will state that permission is conditional on the tenant having relevant insurance, tax registration etc. It is the tenant/leaseholder's responsibility to ensure that their mobility scooter will fit in the external doors, lifts, and internal doors.
- 5.4 Tenants must ensure that 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.
- 5.5 Tenants who apply for permission will be expected to produce their insurance certificate for inspection. Absence of adequate insurance cover may result in the permission granted being refused or withdrawn.
- 5.6 Permission may be withdrawn if the conditions are not adhered to, if the tenant purchases an additional or larger scooter or if the policy is updated to meet new regulatory requirements.
- 5.7 The council will undertake periodic checks, including at the Annual Tenancy Visit to ensure the policy is complied with.

6. Storage and charging

- 6.1 Mobility scooters must not be stored or charged in communal hallways or stairwells at any time because they could increase the risk of fire or obstruct a fire escape route.
- 6.2 If a mobility scooter is stored within a tenant / leaseholder's property they must ensure that there is sufficient space within the home to store the scooter safely. An inspection should be arranged by the Fire Safety Officer to assess for additional smoke detection/ internal fire doors.
- 6.3 As part of this assessment, the council may provide minor adaptations such as small fillet ramps, smoke alarms, electrical charging sockets and an internal fire door as required to flats to enable the mobility scooter to be stored safely when it was not in use.
- 6.4 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.

- 6.5 In some sheltered schemes there will be designated storage facilities for mobility scooters. The storage areas for scooters will normally be allocated on a first come first served basis and permission for the scooter is still required.
- 6.6 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.
- 6.7 Tenants are responsible for ensuring their scooter is serviced and maintained regularly, and for having an annual PAT (Portable Appliance Test). If any charging equipment fails the PAT, it is the tenant's responsibility to repair or replace it before using it.

7. Breach of mobility scooter policy

- 7.1 The Council understands the positive difference to quality of life a scooter can make. However, the council's Tenancy Agreement requires tenants obtain written permission to keep a mobility scooter. Where there is a breach of the agreement the council will take the appropriate action.
- 7.2 The council will endeavour to identify a safe and secure storage and charging area as set out in section 4.10 above. Where this is not possible, the council will consider alternative options including assisting with a move. Wherever possible the council will seek to negotiate a satisfactory outcome with the tenant.
- 7.3 Where a scooter is stored or charged on council 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 may recharge the tenant for any removal costs.

Appendices

- Appendix 1 – Mobility scooter permission form
- Appendix 2 – Customer information leaflet
- Appendix 3 – Letter granting permission with conditions
- Appendix 4 – Letter refusing permission giving reasons and right of appeal
- Appendix 5 – Letter where tenant has mobility scooter without permission