

## Mobility Vehicle Policy and Procedures

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## Summary

Housing 21 recognises that the safe use of mobility vehicles enables its residents to maintain and increase their independence and social inclusion, positively impacting on their quality of life.

Housing 21 takes the health and safety of its residents, employees, visitors, and contractors seriously and encourages responsible mobility vehicle ownership, use and storage to mitigate health and safety risks.

This policy provides guidance on the use and storage of mobility vehicles, how to acquire permission from Housing 21 for a mobility vehicle and promotes responsible ownership.

## Equality, Diversity and Inclusion

Housing 21 aspires to embed diversity and inclusion within all our organisational activities to enable these principles to become part of our everyday processes.

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Legislation/Regulations
Health and Safety at Work Act 1974
Use of Invalid Carriages on Highway Regulations 1988
Management of Health and Safety at Work Regulations 1999

Regulatory Reform (Fire Safety) Order 2005 as amended by the Fire Safety Act 2021
Equality Act 2010
The Care Act 2014
The National Fire Chiefs Council Fire Safety in Specialised Housing 2017
The National Fire Chiefs Council Mobility Vehicle Guidance for Residential Buildings 2018

## 1. Aims, Objectives and Approach

The aims and objectives of this policy are to ensure:

- 1.1 Housing 21 meets its statutory obligations.
- 1.2 Mobility vehicles are only stored in mobility vehicle stores or permitted locations and that they do not increase the risk of fire spread or block an escape route in the event of a fire.
- 1.3 Clear guidance is provided on the safe use and storage in relation to mobility vehicles in mobility vehicle stores and permitted locations in retirement living and extra care schemes.
- 1.4 That before a mobility vehicle is purchased or leased residents are provided with advice on the storage space options available to them.
- 1.5 That once permission has been given, residents adhere to their responsibilities relating to the storage, charging and use of mobility vehicles.
- 1.6 Residents and residents are aware that they are liable for any injury caused to another person, damage to mobility vehicle stores, communal areas and/or other Housing 21 property as a result of their use of a mobility vehicle.

## 2. Scope

Housing 21 acknowledges that residents should have a quality of life which allows for the provision of full mobility; including the right to own a mobility vehicle or electric powered wheelchair.

Electric powered wheelchairs are typically provided to people with disabilities to provide mobile access both indoors and outdoors. Mobility vehicles were introduced to provide local outdoor mobility for people with disabilities who might otherwise be confined to their home.

For the purposes of the policy, these pieces of equipment will be referred to as mobility vehicles.

### 3. Legislation

This policy has considered the relevant legislation and applies to all buildings owned or managed by Housing 21. Responsibility for complying with the Regulatory Reform (Fire Safety) Order 2005 rests with Housing 21 as the 'Responsible Person'.

The Fire Safety Order as amended by the Fire Safety Act 2021 covers 'general fire precautions and other fire safety duties that are required to protect 'relevant persons' in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable.

### 4. Management arrangements

#### 4.1 Allocation of space

There will be local restrictions on the number of mobility vehicles permitted to be used and stored on schemes. Allocation of storage space for mobility vehicles will be made following a needs assessment by the local housing management team. If there is not sufficient space, there may be alternatives for residents seeking to use a mobility vehicle to consider, such as:

- Local shop mobility arrangements.
- Requesting permission from Housing 21 to erect a suitable outdoor storage and /or charging facility (at resident's own risk and cost, including ongoing maintenance costs).

Housing 21 are not responsible for providing any adjustments to a property or to the perimeter of a building to accommodate the use of a mobility scooter. Should adjustments be needed, requests for improvements or alterations should be made to us in writing. We may attach conditions to any consent we give. Permission to carry out alterations will not be unreasonably withheld.

## **4.2 Storage**

Mobility vehicles must not be stored in any part of a corridor or stairwell that might block an escape route, potentially cause an obstruction, trip, or fire hazard.

Vehicles deemed to be too large to be used, stored, or charged in Housing 21 properties must be stored and charged outside.

Visitors must find a safe location to park their mobility vehicle that is outside the communal or shared areas and does not cause any obstruction within the building/property during visits. Any resident whose visitors fail to do this will be held responsible in line with the terms of their tenancy agreement.

## **4.3 Charging**

The type of batteries used in mobility vehicles are generally lead acid (wet cell) or sealed lead acid scooter batteries. Other battery types include Gel and Absorbed Glass Mat (AGM) batteries. The use of lithium iron phosphate (LiFePO<sub>4</sub>) batteries has increased risks due to their unpredictable and adverse reaction when subjected to fire. All batteries can give off hydrogen when charging.

Therefore, mobility vehicles must not under any circumstances be charged in communal corridors, or other communal areas unless the area has been agreed as a 'designated area' on the Fire Risk Assessment and documented on the resident's permission form.

Further, to reduce risk of fire during sleeping hours charging of mobility vehicles is not permitted between 10pm and 6am in line with the National Fire Chief Council guidance.

Unless an electricity token meter is installed for recharging mobility vehicles, Housing 21 will not charge individuals to recharge their vehicles in designated communal areas. The electricity costs will be recovered through service charges.

#### **4.4 Insurance**

Insurance for mobility vehicles is not a legal requirement, however, Housing 21 require third-party insurance as a minimum if the vehicle is to be used and stored inside or outside of a building belonging to Housing 21. As a minimum, insurance should provide third party cover for damage against property and claims from other residents, employees, or visitors.

Residents leaving their mobility vehicles unattended in designated storage areas within Housing 21 buildings do so at their own risk.

#### **4.5 Policy breach**

If residents are found to be breaching the conditions stated in this policy and accompanying documents, depending on the risks and severity of the breach(s) initially a warning will be issued from the scheme Manager.

If the issues in the warning are not addressed the Head of Service will issue a notice to the resident giving them a specified time-period to rectify the issue(s). Failure to comply with the notice will result in the resident being asked to remove the mobility vehicle from the building within seven days, the vehicle will need to be stored externally at the owner's risk.

### **5. Definitions**

5.1 Mobility vehicles are defined as an 'invalid carriage' under the Use of Invalid Carriages on the Highways Regulations 1988 and have three categories:

#### **Class 1 Vehicles**

Are manual wheelchairs that are not electrically propelled.

#### **Class 2 Vehicles**

Mobility vehicle or powered wheelchair designed for use on footpaths; up to 4mph. They may also be used on the road to cross from one pavement to another or where no pavement is available; and

### **Class 3 Vehicles**

Can be used on pavements up to 4mph and on roads up to 8mph. They are required by law to be registered with the DVLA for road use. These vehicles will be licensed in the disabled taxation class.

This policy applies to Class 2 or 3 vehicles as defined above or any powered wheelchair.

5.2 The 'communal area' refers to those parts of a block of flats/property which residents have a right to use in common with other residents and for which Housing 21 is responsible. This includes but is not limited to stairways, landings, lifts, entrance halls, hallways, lobbies, fire safety equipment, shared gardens, bin stores, sheds, electrical cupboards, parking areas, refuse areas and mobility vehicle stores. It also includes areas necessary to gain access to the property.

## **6. Further help and advice**

[Motability Scheme](#) Exchange your qualifying mobility allowance for a brand-new car, Wheelchair Accessible Vehicle (WAV), scooter or powered wheelchair, so you can enjoy more freedom and independence.

[Financial help if you're disabled: Vehicles and transport - GOV.UK \(www.gov.uk\)](#)

[Charity Funding Options - Better Mobility - Wheelchairs, Powerchairs, Scooters and Living Aids](#)

## **7. Monitoring and Review**

7.1 This policy will be subject to review every three years unless there any legal or regulatory changes are required.



- 7.2 To check the policy is being implemented correctly, there will be routine inspections which incorporate the storage and use of mobility vehicles on court; Court Risk Assessment/Fire Risk Assessment.

## 8. Procedures

The following 'How to' procedures accompany this policy:

- A. How to procedure – what do residents have to do to keep a mobility vehicle on the court?
- B. How to procedure – where can mobility vehicles be stored?
- C. How to procedure – use of mobility vehicles on court

Form A: Permission Form for use/storage of a mobility vehicle on court

Housing 21 has produced a leaflet for residents providing information on the purchase, use and storage of mobility vehicles.

## **How to Procedures**

### **A. What do residents have to do to keep a mobility vehicle on court?**

Any resident who owns, or is thinking of buying, a mobility vehicle must:

- Advise the local housing/extra care manager to ensure we can provide information and advice and, where necessary, carry out a risk assessment.
- Complete and sign the Permission Form for use/storage of a mobility vehicle on court, confirming their agreement to the conditions for owning and storing scooters.
- While insurance is not a legal requirement Housing 21 requires residents to take-out third-party liability insurance as a minimum. Housing 21 will recharge for any damage caused to the properties we own or manage.
- If anyone using a mobility vehicle injures another person, they may be liable to personal injury claims.
- Upon reasonable request by an employee of Housing 21, residents should provide a copy of their liability insurance cover.
- Scooters and chargers must be maintained in line with the manufacturers' guidance.
- Where applicable, residents must comply with the outcome of a risk assessment (court or fire) and failure to do so will be considered a breach of the consent agreement.

Housing 21 has the right to refuse permission to store scooters in communal areas if a risk assessment shows there is a health and safety and/or fire risk that could put others in danger. We will strive to be as flexible as possible and where there is a risk associated with storage, we will work with the resident to try to find a solution.

### **B. Where can mobility vehicles be stored?**

#### **B.1 Storage within the home**

Where it is possible, residents must store mobility vehicles in their own flats/homes. This option may be limited to those with smaller scooters and where the layout of the accommodation is suitable.

Residents who store scooters in their flats/homes must ensure the scooter does not block fire exits. Scooters and chargers must also be maintained in line with the manufacturer's guidance.

## **B.2 Storage in mobility vehicle 'buggy' stores/designated communal areas**

Where Housing 21 has been able to provide purpose-built storage for mobility vehicles, we will manage and allocate provision as follows:

- Each court will have its own waiting list that details the issues particular to that court. For example, some storage facilities are not suitable for the larger models of scooters and buggies now available on the market. Residents should take this into account when considering purchasing a mobility vehicle.
- Residents can request that they be added to the waiting list.
- Residents may only store scooters in designated communal areas (outside of buggy stores) following a risk assessment (court and fire). Once these are completed, residents will be given written permission showing exactly where they can store the scooter.
- Residents with access to mobility vehicle storage must use it for this purpose and failure to do so may result in the storage being offered to the next person on the waiting list. Anyone who no longer needs storage must advise their Housing/Extra Care Manager.
- Residents are responsible for arranging an annual portable appliance test (PAT) to be carried out on batteries and chargers and maintain the scooter in line with the manufacturer's guidance.
- Scooters must never be stored in a way that blocks or restricts escape routes (i.e., communal corridors); the main entrance to communal blocks or the main door to their property.
- Power leads must never cause a trip hazard, be trailed across floors, or put through the letterbox of a property.

- Any residents advised to move a scooter from an area that is deemed unsafe must do so and failure to comply will be considered a breach of the consent agreement.

### **B.3 Alternative storage options**

Where it is not possible to store scooters in residents' homes or in communal stores/areas, and where there is a wait for purpose-built storage, residents may want to consider alternative storage options.

Anyone considering purchasing alternative storage must seek written permission from Housing 21 and meet the cost of this themselves.

Other options available include:

#### External waterproof covers

This option is dependent on there being space outside which will not cause an obstruction and where a power lead will not cause a trip hazard. An external socket outlet is also required, and Housing 21 would need to carry out a risk assessment.

Manufacturers offer a range of external covers, but these can be limited in extreme weather conditions and do not offer protection from theft.

#### Manufactured scooter storage units

These are small, secure units with built in battery chargers. Normally for this type of storage, planning permission is not needed although residents will need to agree the location with Housing 21 ensuring that they do not obstruct windows or block access paths. A secure power connection will be required, and a level paved surface must be available.

Any external storage solution should be fully risk assessed and consider arson, location, fire spread, access/egress and maintenance.

### **C. Conditions of Use of mobility vehicle on court**

- C1. Scooters must be ridden safely and in a responsible manner within the court and grounds taking due care and consideration of other people and surroundings.
- C2. All travel inside Housing 21 buildings must not exceed more than 2mph to ensure the safety of all residents, employees, and visitors.
- C3. Residents should provide, upon reasonable request by an employee of Housing 21, the following documents:
  - a copy of the liability insurance cover for the mobility vehicle
  - a copy of the vehicle's annual service documentation
  - a copy of the Portable Appliance Test (PAT) of the charging equipment.
- C4. Any damage to any parts of the building should be reported immediately to the Local Housing/Extra Care Manager.
- C5. Residents must pay for any damage to Housing 21 property caused by collision or misuse of a mobility vehicle.
- C6. Visitors' mobility vehicles are not permitted to be charged, stored, or left unattended in any area that causes an obstruction within the property and breaches the storage conditions contained in the Mobility Vehicle Policy.
- C7. Vehicles stored in designated areas are left at the resident's own risk.
- C8. If residents are found to be breaching the conditions stated in this policy and accompanying documents, depending on the risks and severity of the breach(s) initially a warning will be issued from the scheme Manager.

If the issues in the warning are not addressed the Head of Service will issue a notice to the resident giving them a specified time-period to rectify the issue(s). Failure to comply with the notice will result in the resident being asked to remove the mobility vehicle from the building within seven days, the vehicle will need to be stored externally at the owner's risk.

#### **Restrictions on charging mobility vehicles/vehicle batteries**

- To reduce risk of fire during sleeping hours charging of mobility vehicles is not permitted between 10pm and 6am in line with the National Fire Chief Council guidance.

- Any charging in designated storage areas is subject to a portable appliance testing programme, which is the responsibility of the vehicle owner.
- If any equipment fails the Portable Appliance Test, the resident is responsible to repair or replace the damaged item before it can be stored or used within a Housing 21 building.
- No charging should occur on a means of escape i.e. communal corridor.

## Form A: Permission Form for use/storage of a mobility vehicle on court

### PERMISSION FORM FOR USE/STORAGE OF MOBILITY VEHICLE ON COURT

If you need to store, or charge a mobility vehicle on property owned by Housing 21 you must request permission from the Housing Manager and agree to the following conditions:

Mobility vehicle Request Form			
<b>Name</b>			
<b>Address</b>			
<b>Make of mobility vehicle</b>		<b>Model</b>	
<b>Type of scooter</b>			✓
<b>Class 1</b>	Lightweight manual wheelchair. You do not need permission for this type of chair.		
<b>Class 2</b>	Motorised wheelchairs, designed for use on the pavement up to 4mph. They may also be used on the road to cross from one pavement to another or where no pavement is available.		
<b>Class 3</b>	Machines used both on the pavement where, like Class 2 vehicles they are limited to 4mph, and on the road where they can travel up to 8mph.		
<b>I/We agree to the following conditions (please tick all boxes)</b>			✓
If the mobility vehicle needs to be registered with the Driver and Vehicle Licensing Agency (DVLA), see above, a copy of the registration documents should be submitted with your request.			
It is a requirement that you have, as a minimum, third-party insurance cover for your mobility vehicle as you will be responsible for any accidental damage to the building or personal injury caused to another person.			

### Mobility vehicle Request Form

The mobility vehicle will be stored and charged as agreed with Housing 21. Housing 21 has a zero-tolerance approach to any flammable items being stored or charged in communal corridors or escape routes.

The mobility vehicle must be charged in accordance with manufacturers' instructions.

Charging may only take place between 06:00 and 22:00.

All equipment will be subject to an annual Portable Appliance Test (PAT).

No flammable materials are to be stored near the mobility vehicle.

Electric extension leads are not to be used when charging mobility vehicles.

After receiving permission to use/store your mobility vehicle, should your circumstances change for any reason, you must let us know immediately as it may affect your permission.

Periodic checks of mobility vehicle storage/charging will be undertaken by Housing 21 to ensure residents are complying with the conditions.

A breach of the mobility vehicle conditions could result in Housing 21 withdrawing permission for the storage and charging of the scooter.

**Signed**

**Date**

**Print Name**

Housing 21 will not unreasonably refuse permission unless there is a good reason. If permission is refused the Manager will explain the reason(s) to you.

### PERMISSION ASSESSMENT (TO BE COMPLETED BY LOCAL HOUSING/EXTRA CARE MANAGER)

Assessment Questions		Yes	No
1	Is there adequate space in the storage area for the mobility vehicle?		



2	If No to (1) has permission been given to provide a personal external mobility vehicle store? This must be authorised by the Building Surveyor and detailed on the Court Risk Assessment.		
3	Has the electrical charging equipment got a valid PAT certificate/sticker? Valid until __/__/____		
4	Has a copy of the insurance been provided?		
5	If relevant, has a copy of DVLA registration been provided?		
<b>Outcome</b>			
If No, to question 1 and 2 reason/s for refusal:			
a.	Inadequate space in the designated mobility vehicle storage areas		
b.	Resident already has a mobility vehicle stored in the area		
<b>Resident advised of reason for refusal</b>		<b>Date</b>	
Or/			
<b>Permission granted and resident advised</b>		<b>Date</b>	
<b>Local Housing/Extra Care Manager's signature</b>			
<b>Print Name</b>			

This form should be retained as a record that permission has been granted/refused.