

**The London Borough of Barking and Dagenham**  
**Mobility Scooters in Shared Communal Areas Policy**

Policy Name:	Mobility Scooters in Shared Communal Areas Policy
Status:	3rd draft. Revised in April 2020
Approved by:	Cabinet on 15 June 2020 <i>(to be confirmed)</i>
Drafted By:	Francesco La Torre, Principal Quality and Compliance Manager.
Date Effective from:	To be confirmed
Equality Impact Assessment (EIA) Carried out:	<p>An EIA has been carried out and is included as a background document to the policy. The EIA was informed by an audit of existing mobility scooter users across Council Extra Care and Sheltered schemes, as well as the findings of the regular Fire Risk Assessments carried out for other Council blocks.</p> <p>The EIA concluded that the policy is justified – with the mitigations identified – to ensure that the Council delivers its Landlord Statutory duties as required by the Fire Safety Order and by the Housing Act, and as far as reasonably possible, protect the Health and Safety of all users of the residential buildings. (Section 4 of this Policy provides a summary of the Adverse and Positive impact of this Policy on the nine Protected Characteristics covered by the Equality Act.)</p> <p>This EIA identified that the policy could have an adverse impact on some residents that are currently using mobility scooters protected by the Age and Disability characteristics of the Equality Act, because there may be cases of residents who will no longer be able to store their scooter where they do currently if the Council assesses the storage location as representing a fire risk to building residents under the terms of this policy.</p> <p>To mitigate this, we are making a significant investment in the storage capacity of Council owned and managed accommodation, as detailed below in section 4.</p> <p>We are mindful that notwithstanding our investment, it is possible that some residents may be unable to store their scooter safely should this policy be adopted. If this adverse impact circumstance arises, we will seek to arrive at a mutually beneficial outcome which supports people and allows us to abide by our policy to ensure fire safety.</p> <p>This will involve engaging with colleagues in Care and Support and Community Solutions on a case by case basis to generate solutions tailored to an individual's specific circumstances with the possibility, in exceptional circumstances, of exempting certain aspects of the policy at the dispensation of the Director of My Place, or a senior manager acting on their behalf.</p> <p>Six months from the implementation of this policy, and at regular intervals thereafter, officers will review this adverse impact and recommend amendments to this policy if necessary.</p>

<p>Consultation:</p>	<p>The Policy was consulted with:</p> <ul style="list-style-type: none"> <li>• My Place - Fire Safety Strategy Group (FSSG)</li> <li>• My Place Director Management Team (DMT) October 2018</li> <li>• The Assurance Board November 2018</li> <li>• Cabinet Member for Social Care and Health Integration Portfolio December 2018.</li> <li>• Cabinet Member for Regeneration and Social Housing November 2018</li> <li>• My Place Landlord Services</li> <li>• Disability Care and Support Service</li> </ul> <p>In drafting this policy, we also referred to the following Local and National professional advice:</p> <ul style="list-style-type: none"> <li>• National Fire Chief Council (NFCC) Mobility Scooter Guidance for Residential Building (appendix 1 of this Policy)</li> <li>• The London Fire Brigade (Fire Safety Guidance Note GN84-Fires in Communal Area for External Partners)</li> <li>• GOV.Uk Government (Mobility Scooters and Powered Wheelchairs: the rules)</li> <li>• Audit of 10 other social housing authorities' approach to Mobility Scooters Policies including Housing Associations.</li> <li>• Disable Living Foundation (DFL Choosing a Mobility Scooter Factsheet)</li> <li>• LBBD-Joint Strategic Needs Assessment - May 2017</li> </ul>
<p>Review Date:</p>	<p>This Policy will be reviewed every 3 years or at each occasion where there has been a significant change in legislation and resident's needs.</p>

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1	Policy Statement
1.1	The policy is outlined in full beginning at section 8. The new mobility scooters in shared communal areas policy is designed to ensure that residents living in Council buildings (all residents including tenants, leaseholders and tenants of leaseholders) with shared communal areas who wish to purchase or store a mobility scooter can do so safely.
1.2	To achieve this, the Council will work with every existing mobility scooter owner and those wishing to purchase a scooter to ensure their scooter can be used safely and can be stored safely in their property or in a storage unit. To begin this process, residents must apply to the Council to use and store a mobility scooter.
1.3	This is in order to ensure the Council discharges its duty to maintain buildings in full compliance with Health and Safety and Fire Safety duties by preventing mobility scooters being charged or stored in communal areas.
1.4	The policy outlines the criteria that the Council will use to establish whether a mobility scooter can be used and stored safely or not. This criteria is outlined in section 8. In short, to own and store a mobility scooter the Council must agree that the mobility scooter can be safely stored and charged in a resident's property or the buildings storage unit and that the resident has a professionally assessed need for a mobility scooter.
1.5	The policy will apply to new purchases and existing mobility scooter owners.
1.6	The Council is committed to creating a safe and welcoming living space for all residents to enjoy, and to ensure that we do all that is possible to assist residents to live an independent life. The Council acknowledges and recognises the positive part that powered wheelchairs and mobility scooters can play to help people to live an independent life.
1.7	This policy outlines how the Council will manage the increasing number of mobility scooter users within Council residential buildings with shared communal living spaces and all the Health and Safety risks associated with the mobility scooters. It is the intent of the policy to:
1.8	<ul style="list-style-type: none"> <li>• Provide clear guidance to any resident that wishes to purchase a mobility scooter.</li> </ul>
1.9	<ul style="list-style-type: none"> <li>• Provide an inclusive and transparent approach to the decision making during the evaluation of each application to store, use and charge a mobility scooter in Council buildings.</li> </ul>
1.10	<ul style="list-style-type: none"> <li>• Balance the need of the residents to live an independent quality of life and the Council's Landlord duties to maintain the Health and Safety of the buildings.</li> </ul>
1.11	<ul style="list-style-type: none"> <li>• Comply with the spirit and letter of current Health and Safety legislation, approved Codes of Practice and authoritative guidance and literature.</li> </ul>
1.12	Link to the Council Corporate Health and Safety Policy and the Council Duty Holder Compliance, and support the Council new strategic priorities as outlined in the 2020 – 2022 Corporate Plan:

1.13	<ul style="list-style-type: none"> <li>• <b>Participation and Engagement:</b> The proposals included in this policy support this Council priority because by creating a safer place for people to live in, we can encourage and empower residents to take pride of the place they live and engage in their community.</li> <li>• <b>Prevention, Independence and Resilience:</b> The proposals included in this policy supports the this priority by protecting life and resident health in preventing exposure to the consequences of fire and hazardous fumes that could cause death or life long-lasting physical and psychological injuries and impact of people’s quality of life</li> <li>• <b>Inclusive Growth-</b>The proposals included in this policy supports the above Council priority by ensuring our assets are sustainable and inclusive, supporting the well-being of all of our residents.</li> </ul> <p>Provide guidance to other Social Housing providers, such as, Housing Associations, Private Care Homes etc.</p>
<b>2</b>	<b>Policy Business Case</b>
2.1	<p>Fire can destroy lives, buildings and business. The residents’ safety in their homes is a primary aim of the Council. Following the Grenfell Tower fire tragedy, My Place has been reviewing all Council fire safety systems and procedures to ensure that the Council has a robust system in place to effectively manage all health and safety risks including risks associated with Fire Safety across all council residential, commercial and public buildings.</p>
2.2	<p>In May 2018, the <b>National Fire Chief Council (NFCC)</b> reviewed their “<b>Mobility Scooter Guidance for Residential Building</b>”. The following is an extract from the guidance:</p> <div data-bbox="229 1301 1465 1899" style="border: 1px solid black; padding: 10px; background-color: #f0f0f0;"> <p><b>Extract from the National Fire Chief Council (NFCC) Mobility Scooter Guidance for Residential Buildings:</b></p> <p><b>1.3 of the guidance:</b> - With the increased use of mobility scooters, comes the corresponding fire safety concern associated with their storage and charging. The design of many premises, particularly smaller and older premises, does not always lend itself easily to the safe storage and charging of mobility scooters. The lack of space and the layout of the corridors, lifts and stairways in communal areas mean that individuals will often leave scooters adjacent to their front entrance doors on protected escape routes or within protected stairways.</p> <p><b>1.4 of the guidance:</b> - When a mobility scooter is involved in fire, the risk of harm is significant. In residential buildings, mobility scooter fires can pose a life safety risk to tenants, employees, firefighters and other relevant persons.</p> </div>
2.3	<p>Buildings are designed to protect residents via a fire-resistant compartments and protected fire escape routes, allowing residents to either safely escape from a fire or stay put in a safe place. The lessons learned from the Grenfell Tower fire incident and our own findings from the Fire Risk Assessments (FRAs) of residential tower blocks, Extra Care and Sheltered accommodation buildings, has highlighted the need for the</p>

<p>2.4</p> <p>2.5</p> <p>2.6</p> <p>2.7</p> <p>2.8</p> <p>2.9</p>	<p>Council to strengthen fire safety controls and control of the buildings and the management of all components of fire.</p> <p>The findings highlighted there is an increasing number of residents that use the protected communal landings and stairways in the blocks and sheltered accommodation residential buildings as an extension of their living space and store several high combustible personal items including, storing and charging mobility scooters. Most of the Council residential buildings and sheltered accommodation buildings communal areas, were designed before mobility scooters become available on the market. Communal landings, fire door openings, corridors, fire escape routes were not designed to accommodate the use, charging and storage of such equipment.</p> <p>Some residents purchase a mobility scooter without Occupational Therapy Assessment or other professional Medical assessments on the need of a mobility scooter to the Health and Wellbeing of the residents. This also includes an assessment on the resident's competency and mental health capacity to safely drive the scooter. If a person uses and stores mobility scooter when it is not required or has been approved, this exposes themselves and others to significant risk, as outlined below.</p> <p>There are several risks associated with the use of mobility scooters in shared living spaces ranging from, fire safety risk to third party liability for injuries caused to others. Nationally there have been several serious fire incidents and loss of life caused by fire from mobility scooters. The following are some of the key risks:</p> <ul style="list-style-type: none"> <li>• Increased risk of fire and potential source of spark and fuel to start a fire.</li> <li>• Harm and potential loss of life from the hazardous/toxic fumes released by the highly flammable components of the scooters.</li> <li>• Injuries caused to other residents colliding with /struck by the mobility scooter</li> <li>• Damage caused to the building, walls, doors, lifts by the impact/collision of the scooters on the building furniture.</li> <li>• Major disruption to the business and to other residents living in the block.</li> </ul> <p>Some mobility scooters components/parts are made of plastic, foam and several other high combustible materials that can produce intensive heat and toxic smoke/fumes that can kill, or cause life changing injuries should there be a fire in the residential buildings. The electrical wiring of the scooters can also provide the spark to start a fire and a fuel for any potential arsonist.</p> <p>The Council is aware of cases where residents are purchasing mobility scooters without 'without a' full understanding of the risk implication associated with mobility scooters. After they purchased the scooter, there is an expectation from residents, for the Council to provide a storage space and charging facility for the scooters regardless the design of the building and the building capacity to safely accommodate the scooters.</p> <p>The following are some of the findings from the fire risk assessment and inspection of the buildings:</p> <ul style="list-style-type: none"> <li>• Often residents store and charge the scooter in the communal areas of the blocks without the Council /Duty Holder awareness or approval</li> <li>• There are no controls in place to ensure that the scooters are serviced regularly or covered by liability insurance for any injury caused to other people living in the building and any damage caused to the building.</li> </ul>
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2.10	<ul style="list-style-type: none"> <li>• Under the current regulations, residents do not need to take a driving test nor have a driving license to drive a mobility scooter. It is a legal requirement that only registered disabled people may use Class 2 or Class 3 scooters. (Class 2 and 3 scooters can reach speed from 4mph to 8mph.</li> <li>• The storage of the scooters obstructing communal passageways and creating potential access difficulties and blocking fire escape routes in emergency situations.</li> <li>• Damage to fixtures and fittings, including lifts, when they are used in buildings without adequate turning circles and for which these are not use designed for.</li> </ul> <p>Unrestricted and unmanaged use of communal areas creates an unacceptable fire risk and prevents the Council discharging its legal duties under the Fire Safety Order. This could lead to legal prosecution and manslaughter charges taken against the Council by the enforcement authorities.</p>
<b>3</b>	<b>Policy Aims</b>
3.1	<p>In the context of this business case, the aim of this Policy is to balance the need of the residents to live an independent quality of life with the Council Landlord legal duties, to maintain the Health and Safety of the buildings in full compliance with the duties and legal requirement set within <b>The Regulator Reform (Fire safety) Order 2005 (RRO)</b> , <b>The Housing Act 1985 and 2004 and Management of Health and Safety at Work Regulations 1999</b>. The Policy will also have a Positive impact on all nine “Protected Characteristics” covered by the Equality Act. <b>(Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Married and Civil Partnership and Pregnancy and Maternity)</b>.</p>
<b>4</b>	<b>Policy Equality Impact Assessment (EIA)</b>
4.1	<p>In April 2020, My Place and the Disability Care and Adult Support team jointly carried out a survey of all Class-2 and Class-3 Mobility Scooters and Powered Wheelchair users in Extra Care and Sheltered accommodation building. The survey identified that out of 700 flats; 16 residents use a powered wheelchair and 71 (10%) use class 2 and class 3 mobility scooters as an aid to their mobility and independence.</p>
4.2	<p>As part of the Fire Risk Assessment (FRA) of the buildings My Place, has also carried out a similar survey of residents that live in all block of flats buildings. The FRAs have identified that out of the 11,000 flats; 1 resident uses a Powered Wheelchair and 8 residents use a Class-2 and Class-3 mobility scooters.</p>
4.3	<p>Based on the demographic trends described above, we can expect the number of residents seeking to use mobility scooters to increase over the coming years, and therefore it is important to adopt this policy moving forward.</p>

4.4	<p>In October 2018, My Place Quality and Compliance Team and the Disability Care and Support Service team carried out a joint audit of current number of mobility scooters within the sheltered and extra care schemes buildings across the borough. This was to identify the number of residents that currently use a mobility scoter and could be affected by this Policy.</p>
4.5	<p>The audit identified 74 known mobility scooter users (21 scooters in extra care schemes buildings and 53 in sheltered accommodation schemes buildings).</p>
4.6	<p>Fire risk assessments of the blocks have also identified several mobility scooters stored in the communal areas of the high-rise, medium-rise and low-rise blocks.</p>
4.7	<p>Following the outcome of the audit, in April 2020, My Place Principal Quality and Compliance Manager carried out an Equality Impact Assessment (EIA) of the Policy on the on the nine “Protected Characteristics” covered by the Equality Act. (<b>Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Married and Civil Partnership and Pregnancy and Maternity</b>). The outcome of the EIA concluded that:</p>
4.8	<p><b>Adverse Impact</b></p>
4.9	<p>This Policy could have an adverse impact on some residents that are currently using a mobility scooters protected by the <b>Age</b> and <b>Disability</b> characteristics of the Equality Act. This is because there may be cases of residents who will no longer be able to store their scooter where they do currently if the Council assesses the storage location as representing a fire risk to building residents.</p>
4.10	<p>To mitigate this, we are making a significant investment in the storage capacity of Council owned and managed accommodation:</p> <ul style="list-style-type: none"> <li>• 48 mobility scooters storing, and charging units have been built across all extra care sheltered accommodation buildings.</li> <li>• 2 mobility scooters storing, and charging facility been built in two low rise blocks.</li> <li>• 1 adaption to security door entrance to block of flats been carried out to facilitate the automatic opening the door and easy access for a powered wheelchair user.</li> <li>• 11 new storage and charging mobility scooter units have been completed in 2019 and 7 more unit will be completed by the end of June 2020 in sheltered accommodation buildings.</li> <li>• Within 2020/21 capital programme, the Council has invested a further capital budget to build mobility scooter storage facilities in another 5 sheltered accommodation sites.</li> <li>• The council is carrying out an audit of all storage areas on the ground floor of the block of flats to explore the option to convert it into bikes, pram and mobility scooter storage facilities.</li> <li>• Should there be a need to evacuate the building, we want to ensure that all our residents can leave the building safely in the event of a fire or other emergency</li> </ul>



	<p>. We are writing to all residents that live in blocks to ask whether they need a Personal Emergency Evacuation Plan (PEEP) to make sure that they can leave the building safely in the event of an emergency.</p> <ul style="list-style-type: none"> <li>• The Council is investing £3.5m per year to replace all fire doors to flats front door and the communal areas of the blocks , the design of the new doors will create a horizontal fire safety refuge zones on each floor of the high-rise block to enable wheelchair users, resident with medical condition restricting their mobility.</li> </ul> <p>4.11 We are mindful that notwithstanding our investment, it is possible that some residents may be unable to store their scooter in a safe space should this policy be adopted. If this adverse impact circumstance arises, we will seek to arrive at a mutually beneficial outcome which supports people and allows us to abide by our policy to ensure fire safety.</p> <p>4.12 This will involve engaging with colleagues in Care and Support and Community Solutions on a case by case basis to generate solutions tailored to an individual's specific circumstances with the possibility, in exceptional circumstances, of exempting certain aspects of the policy at the dispensation of the Director of My Place, or a senior manager acting on their behalf.</p> <p>4.13 Six months from the implementation of this policy, and at regular intervals thereafter, officers will review this adverse impact and recommend amendments to this policy if necessary.</p> <p>4.14 <b>Positive Impact</b> The primary aim of the Council is to protect life and prevent life-changing injuries from the risk of fire and any other Health and Safety risks associated with the use of mobility scooters in shared communal areas of residential buildings. This policy reduces the risks and will benefit all residents that live in the residential buildings and any visitors, employees, fire fighters that visit the buildings.</p> <p>4.15 <b>Conclusion</b> The overall outcome of the EIA concluded that the Policy is justified to ensure that the Council delivers its Landlord Statutory duties as required by the Fire Safety Order and by the Housing Act, and as far as reasonable possible, protect the Health and Safety of all users of the residential buildings. The Policy will also have a Positive Impact on all nine "Protected Characteristics" covered by the Equality Act. (<b>Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Married and Civil Partnership and Pregnancy and Maternity</b>).</p>
<b>5</b>	<b>Policy Legal Framework</b>
5.1	<p>There are several legal requirements relating to people's rights under the Equality Act and the Council Legal duties as the Landlords/Responsible Person for the residential buildings. The primary legislation related to mobility scooters include:</p> <p>5.2 <b>Equality Act 2010:</b> The Act came into force in October 2010 providing a modern, single legal framework with clear law to better tackle disadvantage and discrimination against the following nine "Protected Characteristics" protected by the Equality Act. (<b>Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Married and Civil Partnership and Pregnancy and Maternity</b>).</p>

5.3	<p><b>The General Equality Duty 2011:</b> - The <b>The general equality duty</b> came into force on 5 April 2011. In the exercise of their functions, <b>public authorities</b> in England, Scotland and Wales must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other unlawful conduct in the Equality Act 2010, advance equality of opportunity and foster good relations. The Equality Duty, also requires organisations to <i>consider</i> equality considerations to be reflected into the design of policies and the delivery of services, including internal policies, and for these issues to be kept under review.</p>
5.4	<p><b>Regulatory Reform (Fire Safety) Order 2005:</b> - <b>The Regulator Reform (Fire safety) Order 2005 (RRO)</b> places responsibilities on the Council as the Duty Holder, to manage fire safety in premises under their control by:</p> <ul style="list-style-type: none"> <li>• Taking such general fire precaution as will ensure, so far as is reasonably practical, the safety of any of his or her employees; and in relation to relevant persons who are not his or her employees, take such general fire precaution as may reasonably be required in the circumstances to ensure that premises are safe.</li> <li>• Take a suitable and sufficient assessment of the fire risks to which relevant persons are exposed for the purpose of identifying the general fire precaution that the Council needs to take to comply with the requirements and prohibitions imposed by this order.</li> </ul>
5.5	<p><b>The Housing Act 1985 and 2004:</b> - The Acts apply regulation and control to residential properties, including Sheltered Housing buildings and High, Medium and Low-rise buildings.</p> <ul style="list-style-type: none"> <li>• The Acts makes the Council responsible for keeping the condition of its housing stock under constant review to ensure that all aspect of health and safety, including fire safety of the blocks is maintained.</li> <li>• The legal duty on the council regarding its housing stock applies to all the buildings including private living accommodations (i.e. individual flats).</li> </ul>
5.6	<p>Other legislations related to the use of mobility scooters also include:</p> <ul style="list-style-type: none"> <li>• Management of Health and Safety at Work Regulations 1999</li> <li>• Use of Invalid Carriages on Highways Regulations 1988.</li> </ul>
6	<p><b>Policy Review</b></p>
6.1	<p>This Policy will be reviewed every 3 years and at each occasion where there has been a significant change in legislation, use of the building and resident's needs.</p>

7	<b>Policy Scope</b>
7.1	<p>Mobility scooters are defined as “Invalid Carriages” under the use of the Invalid Carriages on Highways Regulation 1998. The regulation divides the scooters in three classes:</p> <ul style="list-style-type: none"> <li>• <b>CLASS 1:</b> - Class 1 “invalid carriage” means an invalid carriage which is not mechanically propelled i.e. Manual wheelchairs that are self-propelled or attendant-propelled, not powered. <b>(not covered by this policy)</b></li> <li>• <b>CLASS 2:</b> - Class 2 “invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be incapable of exceeding a speed of 4 miles per hour on the level under its own power; i.e. Powered wheelchairs and scooters, for use on pavements and other footways with a maximum speed of only 4mph and a maximum unladen weight of 113.4kg (250 lb). <b>(Covered by this policy)</b></li> <li>• <b>CLASS 3:</b> - Class 3 invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be capable of exceeding a speed of 4 miles per hour but incapable of exceeding a speed of 8 miles per hour on the level under its own power; Powered wheelchairs and scooters, for use on roads with a maximum speed of 8mph and the facility to limit the maximum speed to 4mph for use when travelling on the pavement, and with a maximum unladen weight of 150kg (330 lb). Residents purchasing Class 3 scooters must register the vehicle with the Driver and Vehicle Licensing Agency (DVLA). <b>(Covered by this policy).</b></li> </ul> <p>The scope of the Policy will include Class 2 and 3 mobility scooters stored and charged in the following residential buildings that have internal and external shared communal living space:</p> <ul style="list-style-type: none"> <li>• All Block of Flats.</li> <li>• All Extra Care Sheltered Accommodation buildings.</li> <li>• All Standards Sheltered Accommodation buildings (Excluding single store Bungalows sheltered schemes).</li> <li>• All Hostels.</li> </ul>
	<b>The Policy</b>
8	<b>Ensuring Safe use and storage of mobility scooters</b>
8.1	<p>This Policy sets out the requirement and condition in which the Council will ensure that the mobility scooters can be stored and charged safely. The policy will apply to all new residents that move in the Council properties (all residents including Council tenants, leaseholders and tenants of leaseholders) and existing residents that have already purchased and use the scooter.</p>
8.2	<p>Tenants, Leaseholders and tenants of leaseholders living in buildings with shared communal areas that wish to purchase and store a mobility scooter in Council properties, must comply with this Council policy to ensure the scooter meets their need</p>

8.3	<p>and can be stored safely outside of communal areas for the purposes of fire safety. To do so, owners of scooter and those wishing to purchase a scooter must apply to the Council by using the form in <b>Appendix 1 of this Policy</b>. The form must be filled in full.</p> <p>Each request will be considered by the Landlord Services Manager in consultation with the Council Principal Quality and Compliance Manager (Fire Safety Risk Assessor). The Fire Risk Assessor officer will carry out and fire risk assessment of the building prior to reaching a decision.</p> <p>In considering each application the Council will consider:</p> <ul style="list-style-type: none"> <li>• Needs an assessment carried out by a practitioner from the local authority, such as an occupational therapist, nurse or the resident's General Practitioner (<b>GP</b>) which will support the resident in applying for a mobility scooter. <b>(no applications will be considered without proof of an assessment)</b>.</li> <li>• The potential adverse impact on other residents living in the building. <b>(safety and wellbeing of other residents and users of the building must not be put at risk)</b>.</li> <li>• The capacity of the building to safely store and charge the mobility scooters.</li> <li>• The capacity of the flats to safely store and charge the mobility scooter inside residents' property.</li> <li>• Any reasonable or unreasonable cost to carry out physical alteration to the building to accommodate the scooter.</li> <li>• The resident has taken a Liability Insurance and Service Maintenance to ensure the safety of the scooter <b>(It is expected that the scooter to be Electrical and Safety checked and tested a minimum once a year)</b>.</li> <li>• If the scooter is larger than the width of the internal and external doors and lift doors and cannot be safely manoeuvred.</li> <li>• Whether the resident has already one scooter stored in on the premises.</li> </ul>
<b>9</b>	<b>Policy Terms and Conditions</b>
9.1	<p>Where the Council agrees the use or purchase of the mobility scooter is necessary and safe, this will be based on a set condition and will depend on the residents producing the relevant, insurance certificates, service and maintenance certificates etc. The resident must make all relevant certificates available during any inspections during Fire Risk Assessments of the building. <b>(failure to produce the certificates may result in consent being withdrawn)</b>.</p>
9.2	<p>The Council will carry out periodic checks to ensure that the Policy is complied with, and reserves the right to take action if the use of the scooter no longer complies with this policy.</p>
9.3	<p>Council consent to use and store a mobility scooter in Council buildings will be valid for two years, <b>(residents must inform the Council if there are any changes in their health condition that could have an impact on their ability to safely drive the mobility scooter)</b>.</p>

9.4	Residents must ensure that the Insurance, covers public and third-party liability and is adequate to cover all risks to other residents living in the building and visitors to the building, including fire risks, personal risk and any damage caused to the building furniture.
9.5	Mobility scooters must not be stored and charged in the communal areas of the building. If the scooter is stored inside the resident's flat, the scooter must not be left on charge during the night.
9.6	Mobility scooters should be driven safely and with a due care for other residents, especially within the communal areas of the building. Speed limit must be kept at the lowest speed setting when used in internal communal areas of the building.
9.6	The Council strongly recommends that the mobility scooter owners undertake training and are competent in the safety operating and driving class 2 and class 3 scooters, especially if they are not used to driving a vehicle.
9.7	Residents must pay particular care, when entering and exiting the communal lifts. Any damage caused to the lift could potentially render the lift " <b>out of service</b> ". The lifts controls are very sensitive, and residents rely heavily of the effective operation of the lift to access their property. Any " <b>out of service</b> " lift could cause a considerable amount of inconvenience for residents, visitors and staff /contractors
9.8	Consent to use is at Council's discretions and could be withdrawn at any time if there are changes to be made in the Policy due to new legal requirements or significant changes in the use of the building.
9.9	The residents must ensure that the mobility scooters are serviced and maintained by a competent person every year and provide a copy of the test certificate to the Council.
9.10	The Council recommends that the scooter charger and charging leads are PAT tested every year by a competent person. The Council also recommend fitting a <b>current circuit breaker</b> to protect the scooter electrical circuit from any electrical faults/short circuit.
9.11	Due to limited number of scooter storage places, and the increasing number of scooters, consent will be granted on <b>first to come first to serve</b> approach. If an application is refused on due to lack of storage space ground, the application will then be put on a waiting list until a space becomes available.
9.12	Some drugs/medication can affect people's ability to safely drive and control the mobility scooter. Residents should consider their safety and the safety of others before they buy a mobility scooter and should consult with their GP, Nurse or pharmacist about all the medicines that they are using (prescription and over the counter) to assess their fitness to use a scooter.
9.13	Alcohol can affect peoples' ability to safely drive and control mobility scooter inside the communal areas of the buildings and on the public Highways. Drivers of mobility scooter <b>should not drive</b> their scooter if they have consumed alcohol or are impaired by using drugs. The Police have successfully prosecuted drivers of scooters, for driving the scooters while impaired through alcohol drink.

9.14	If you need to wear glasses or contact lenses to meet the 'standards of <b>vision</b> for <b>driving</b> ', mobility scooter drivers must wear them every time they <b>drive</b> . Residents with restricted vision should consult with their GP before purchasing and driving a mobility scooter.
10	<b>Terms of Refusal</b>
10.1	The Council will respond to any application within 25 working days. If the Council does not believe the mobility scooter can be used or stored safely, the council will provide the applicant with a full explanation in writing on which ground their application was refused and advise the applicant on the Council appeal process that they need to follow, if they decide to appeal against the decision.
11	<b>Breach of Conditions</b>
11.1	If there is a breach of the safety Conditions of this policy under which consent is granted the council will take the necessary action to safeguard the safety of other residents that live in the building and the safety of the building.
11.2	Wherever possible the Council will seek to reach a satisfactory solution with the resident, however, if a scooter is stored and charged in Council buildings without the or outside the terms of this policy or any other agreement with the resident, the Council reserves the right to remove the scooter and recover any cost incurred in the removal of the scooter from the resident.
12	<b>Policy Rent Charges for a mobility scooters storage space.</b>
12.1	Mobility scooters are individual needs and benefit single individuals, therefore the Council cannot charge the cost and maintenance of mobility scooter storage facilities and energy used to charge the scooters to all residents that live in the building. The costs associated with the mobility scooter storage and energy used to charge the scooter can only be recovered from residents that benefit from the storage space.
12.2	The following rent charges only apply to mobility scooters stored in purpose build mobility scooter sheds and don't apply to mobility scooters stored and charged inside residents' property. The cost has been based at 1/3 of the current weekly rent of a Council owned garage, and it includes, administration costs, energy cost to charge the scooters. The rent charges are reviewed annually as part of the Council budget setting programme. The yearly cost for 2020/21 will be: <ul style="list-style-type: none"> <li>▪ £5 per week including the energy cost to charge the scooter - for Council Tenants. <b>(£260 yearly rent cost).</b></li> <li>▪ £5 per week including energy cost to charge the scooter +20% VAT total £6 per week rent for private residents. <b>(£312 yearly rent cost).</b></li> </ul>

## Appendix 1

### The London Borough of Barking and Dagenham

#### ***“Mobility Scooters Use and Storage Application Form”***

Please fill in this form in full and send it to the following address:	<b>Head of Landlord, Customer &amp; Commercial   My Place</b> Barking Town Hall; 2 Town Square; IG11 7LU Email: - HousingServicesOfficer@lbbd.gov.uk
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Date of this application	Please provide information to all the following questions:	
Your full Name	Are you the property named Tenant / Leaseholder?	
	If not, please confirm if you have the Property named Tenant / Leaseholder agreement to apply to use and store a mobility scooter	
	Printed:	
	Signature:	
Your full address	House number:	
	Street:	
	Town:	
	County:	
	Country:	
	Post Code:	
Contact Details	Landline phone number:	
	Mobile phone number:	
	Email:	
	Other:	
Type of Property	Flat in Highrise block:	
	Flat in low rise block:	
	Sheltered Accommodation flat:	
	Extra Care sheltered accommodation flat:	
	Bungalow:	
	House:	
	Hostel:	
Type of Tenancy	Introduction Tenancy:	
	Temporary accommodation:	
	Secure Tenancy:	
	Leaseholder:	
	Reside:	
Type of Mobility scooter	Manufactory details:	
	Class of the Scooter:	Class 2      Class 3
	Approx. Size of the scooter:	
	Confirm if it is a new scooter:	
	Confirm if it is a second-hand scooter:	
	Approx. age of the scooter:	

	Any service history: -	
	Does the scooter fit inside your property	
Liability and Thirty Party liability insurance.	Insurance details and certificates:	
Needs Assessment for a mobility scooter	Copy of the Needs Assessment:	
	Any other medical information in support of your application:	
	Are you registered disabled?	

The Council will acknowledge this application within 10 working days from a receipt of the application and confirm the decision of your application in writing within 25 working days from the date of receipt of your application.