

MOBILITY SCOOTERS

Report of the Director of Housing & Customer Service

1. SUMMARY OF REPORT

Local Housing Boards have previously considered the need to adopt a policy in terms of the safe storage and/or charging facilities for mobility scooters within accommodation managed by Derby Homes. A copy of the proposed policy is attached at Appendix 1.

2. RECOMMENDATION

That the Local Housing Board approves the attached policy and delegate the implementation of the policy to officers.

3. MATTER FOR CONSIDERATION

3.1 The issues around the provision of safe storage facilities are something that Derby Homes has been looking at for a number of years now. However, the recent deaths of an elderly couple at a sheltered housing complex in Rugby, Warwickshire, have increased concerns. The couple died when a fire from a mobility scooter spread to their home.

3.2 In April 2010 the North and South Local Housing Boards approved a proposal to introduce a policy which would apply to all flats and would address the issues of storage, charging and use of scooters within blocks.

3.3 In March 2006 the Local Housing Board considered proposals related to the use and storage of mobility scooters used by disabled people living within sheltered housing schemes. As a result, a new condition of tenancy was issued in April 2007 to prohibit the internal use and storage of scooters at Category 2 schemes. Agreement was also given to the provision of appropriate external storage facilities at Category 1 and 2 schemes throughout the City. The lack of any approved policy relating to mobility scooters has always made this condition difficult to enforce.

3.4 The aim of this policy is to:

- Ensure a consistent permission procedure is applied throughout the City.
- Ensure that residents are aware of their responsibilities with regard to the storage and use of mobility scooters within blocks.
- Ensure that all Health and Safety Assessments have been carried out where necessary.
- Ensure that residents are aware of their responsibility to provide the appropriate insurance cover.

- Ensure that residents are aware that they will be held liable for injury to other people or any damage caused to the building or communal areas, and will be recharged.
 - This policy applies to tenants and leaseholders.
- 3.5 The policy has clear criteria for eligibility and gives clear guidance on requesting permission. The policy also requires tenants and leaseholders to finance the costs of any alterations required for the provision of storage or access facilities. NOTE: this does not apply to referrals made through Derby City Council Adult Services for aids/adaptations that may include the use of a mobility scooter. Separate processes already apply in these instances.
- 3.6 The policy also includes for service charges to be applied for the use of storage/charging facilities provided at Category 1 Sheltered Housing Schemes. These charges will cover the costs of maintenance of the facilities and the use of the electricity supply.
- 3.7 It is proposed to publicise and implement the policy in-conjunction with the introduction of 'sterile' areas in flats. The 'sterile' area policy has a requirement for the introduction of additional conditions of tenancy. This matter is currently under consideration by the Council.
- 3.8 During the implementation process we will communicate with existing residents and look to make sensitive and sensible decisions relating to current ownership and storage issues for mobile scooters.

4. CONSULTATION IMPLICATIONS

The proposals have been discussed at Housing Focus Groups and at the Derby Association of Community Partners Open Meeting. All feedback has been positive and there has been support and understanding for the reasons behind introducing this policy.

5 LEGAL AND CONFIDENTIALITY IMPLICATIONS

- 5.1 Under the existing statutory requirements of the 1985 Housing Act, Section 105, Derby Homes is required to consult tenants on changes to our services.
- 5.2 Discussions have been held with Derby City Council's Legal Services Team, particularly on requirements of the Disability Discrimination Act 1985, Part 3, of which makes it illegal for a service provider to treat a disabled person less favourably than others when providing a service. Legal Services are satisfied that the proposed policy complies with the DDA 1985 and also legislation contained within the Human Rights Acts.

6. EQUALITIES IMPACT ASSESSMENT

An equalities impact assessment on the proposed policy will be completed.

7. RISK/HEALTH & SAFETY IMPLICATIONS

There is a risk that if Derby Homes/Derby City Council does not have a policy in relation to the safe use and storage of mobility scooters within flats we could be failing in our health and safety obligations to tenants, leaseholders and residents.

8. POLICY REVIEW IMPLICATIONS

This is a key policy of Derby Homes and will be included in the Key Policy Review Schedule. In accordance with minute 10/51 this policy will be reviewed no later than 3 years from the date of this meeting.

The areas listed below have no implications directly arising from this report

- Financial and Business Plan
- Personnel
- Environmental

If Board members or others would like to discuss this report ahead of the meeting please contact the author, or the Chief Executive, phil.davies@derbyhomes.org - Tel 01332 711010

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Background Information: None

Supporting Information: Item A9, LHBN 8 April 2010, Item A10 LHBS 15 April 2010, Item B5 LHBN 2 March 2006, Item A7 LHBS 9 March 2006

Mobility Scooters

Policy

Mobility Scooter Policy

1. Introduction

- 1.1 This policy applies only to tenants and leaseholders who purchase a mobility scooter through personal choice. It does not apply where referrals/recommendations are made through Adult Services referral processes for aids/adaptations that may include the use of a mobility scooter. Separate processes apply in these instances.
- 1.2 Derby Homes recognises the value that a mobility scooter can bring to the lives of some tenants. A scooter can make a difference to your life, especially where for reasons of disability or frailty a scooter is required to ensure mobility and support independent living.
- 1.3 Derby Homes aims to ensure that (where possible) it meets the individual needs of those residents who use a mobility scooter to maintain independence, whilst continuing to maintain high standards in Health & Safety within our blocks of flats, maisonettes and sheltered schemes and consider all residents.
- 1.4 The aim of this Policy is to:
- Ensure a consistent permission procedure is applied throughout the City.
 - Ensure that Residents are aware of their responsibilities with regard to the storage and use of mobility scooters within blocks.
 - Ensure that all Health and Safety Assessments have been carried out where necessary.
 - Ensure that Residents are aware of their responsibility to provide the appropriate insurance cover.
 - Ensure that Residents are aware that they will be held liable for injury to other people or any damage caused to the building or communal areas, and will be recharged.
 - This policy applies to tenants and leaseholders

2. Policy

- 2.1 Applicants need to comply with the criteria for eligibility set out below:
- The applicant should have a mobility impairment which restricts their mobility outdoors and prevents them from carrying out essential daily tasks.
 - A suitable location for storage and charging of the mobility scooter must be identified and agreed with Derby Homes before purchase of the mobility scooter.
 - The applicant is expected to comply with legal guidance regarding the use of a motorised vehicle on the pavement. (Further guidance on this is available from the DVLA).

2.2 General Needs Housing

- 2.2.1 Before a tenant/leaseholder purchases a mobility scooter they must apply in writing to Derby Homes identifying within the application a suitable location for storage and charging of the mobility scooter. All requests will be handled within 21 days of receipt.
- 2.2.2 Tenants/Leaseholders will also need to gain permission for any alteration, for example the provision of storage facilities, ramp, access path or hardstanding. Tenants/leaseholders will be responsible for financing the costs of any such alterations.
- 2.2.3 Permission will not be unreasonably withheld. However there may be instances where it is not feasible to provide adequate facilities due to the physical layout of the property.

2.3 Category 1 Supported Housing Schemes

- 2.3.1 If a tenant has a need to store a mobility scooter in Category 1 Supported Housing schemes they must apply in writing to Derby Homes. All requests will be handled within 21 days of receipt.
- 2.3.2 In some Sheltered Schemes there will be designated storage facilities for mobility scooters. There may be a waiting list for this facility, therefore storage space cannot be guaranteed. Further advice on the availability of storage facilities can be obtained from Derby Homes.
- 2.3.3 Service charges apply for the use of the storage facilities provided at Category 1 Supported Housing Schemes. These charges cover the costs of maintenance of the facility and use of the provided electricity supply.

3.0 Insurance Requirements

- 3.1 Resident's must ensure that they have appropriate public liability insurance cover against accidents or other injury, to third parties or themselves, as well as against damage to the internal or external parts of the leasehold building, including those parts allocated for storage of scooters. Residents who apply for or obtain permission should expect to produce their insurance certificate for inspection.

Absence of adequate insurance cover may result in the permission granted being terminated.

Consideration should also be given to insuring the mobility scooter against fire, theft or other damage.

4.0 General Information

- 4.1 Mobility Scooters must not be stored in communal hallways or stairwells. Within those locations, they could increase the risk of fire or obstruct a

fire escape route. Mobility Scooters must not be charged in communal areas.

- 4.2 If a Mobility Scooter is stored in a resident's home, they must ensure that there is sufficient space within the home to store the scooter safely without obstructing any fire escape routes.
- 4.3 All upholstery and any protective covers on the Mobility Scooter must be fire retardent.
- 4.4 If a tenant/leaseholder buys a mobility scooter without having obtained prior permission for storage, and there is no space to store/charge it either in their own flat or in a designated storage facility, we may take action under the Tenancy Agreement.
- 4.5 The Tenancy Agreement states that tenants must not do anything (either in or near the property or on the estate where the property is) which is illegal, immoral or would cause danger, a nuisance or annoyance.
- 4.6 Any action against Leaseholders will be taken by the Leasehold Manager and should be referred direct to that officer.