

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

Mobility Scooter Policy

Report of Victoria Dawson, Assistant Director Housing Management and Enforcement for Housing

Classification	This report is Public
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PURPOSE/SUMMARY OF REPORT

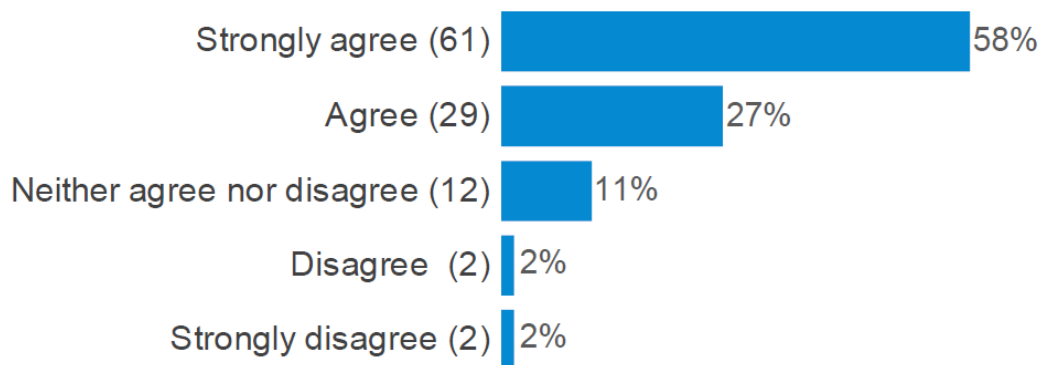
To consider and provide comment on the draft Bolsover District Council Mobility Scooter Policy.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council has 4,986 properties (at November 2022). Within this stock we have a number of older persons housing schemes, with communal areas. These are Orchard Close, Hides Green, The Paddocks and Sandhills Road, in Bolsover and Pattison Street in Shuttelwood. This comprises of 177 properties in 58 blocks.
- 1.2 In 2021 a number of inspections and fire risk assessments of these schemes were undertaken. This revealed that many communal areas are being used to store and charge mobility scooters. This is an unacceptable health and safety risk and poses a risk in that fire escape routes are being blocked. On some occasions scooters have been seen outside of a property being charged, but with an extension lead through the window of the residential accommodation which is also a recognised fire risk.
- 1.3 It was agreed by Council Officers in conjunction with Councillors at the Housing Stock Management Group, that we needed to commence a piece of work promoting the need for a clean sterile area and a mobility scooter policy to set the Council's expectations around the storage and charging of these.
- 1.4 In September 2021 an unannounced visit to these five schemes on a week day found there to be 14 mobility scooters stored in these communal areas as well as 13 mobility frames or wheelchairs.

- 1.5 Following this survey we wrote to all tenants in the five schemes and invited them to attend a Fire Safety Roadshow event in partnership with Derbyshire Fire and Rescue. We explained the work the Council had undertaken to enhance health and safety within these properties following the fire risk assessments and future plans, including limiting the storage or charging of mobility scooters. Information was collated from those in attendance as to mobility scooter usage and storage provision.
- 1.6 During the period 28th February to 29th April 2022, we undertook an 8 week consultation on a new tenancy agreement. This specifically included a new clause at 4.24 *“you must not keep or charge a mobility scooter in the communal area or communal gardens.”*
- 1.7 A specific question was asked within the consultation *“to what extent do you agree or disagree with the clause that communal areas and fire exits must be kept clear of anything likely to cause an obstacle to anyone, and that mobility scooters must not be stored or charged in the communal areas?”*



- 1.8 The new Tenancy Agreement took effect from 4th July 2022. However, we did advise tenants that we would not actively enforce this mobility scooter clause until January 2023 whilst we worked to try and identify a solution to the storage and charging issue.

2. Details of Proposal or Information

- 2.1 The policy (Appendix 1) sets out clearly to both Council tenants and leaseholders of Independent Living Schemes, Older Person’s blocks and General Needs housing, the responsibilities they have as owners of the mobility scooters. This is in regard to the storage and charging of these scooters within Council premises, and the requirement for written permission to be granted by the Council for both existing owners of scooters and those intending to acquire one.
- 2.2 The policy will ensure that owners of the scooters have somewhere to safely store and charge the scooter. An assessment of the property will be undertaken before permission is granted. At Appendix 2 is a guide for Best Practice for Mobility Scooter Storage.

- 2.3 The number of scooters on any one site will be managed, so as not to compromise the safety of residents or anyone else visiting the site.
- 2.4 Permission will be refused where, for example, there is no safe storage arrangement in the tenant/leaseholder's home and no alternative safe storage and charging space can be provided or a major physical alteration to the premises is required, which the Council believes to be unreasonable in terms of the structural limitations of the building(s) and/ or disruption to other service users.
- 2.5 At the Independent Living Schemes, there is a maximum capacity for the storage of scooters. Blue Badge holding tenants/leaseholders will be given priority for spaces, where there are designated storage facilities for mobility scooters, as and when they become available and then considered in date order of request. Spaces will then be made on a 'first come, first served' basis to existing owners of scooters and then 'first come, first served' to other applicants.
- 2.6 Where adequate storage facilities do not exist, a tenant/leaseholder may seek permission to make alterations to the property. For example, for the provision of storage facilities, ramp, access path or hard standing. The Council will not unreasonably withhold permission for alterations.
- 2.7 As mobility scooters can pose a risk to life, the policy states how the Council reserves the right to withdraw permission to store a mobility scooter at any time if any tenant/leaseholder does not adhere to this policy. They will be asked to remove the mobility scooter immediately, and potentially, permanently.
- 2.8 The Policy will allow for a consistent and common approach to the management of mobility scooters in Council communal areas.
- 2.9 Storage of mobility scooters is an issue for a number of residents, however it is clear that we cannot permit storage and charging of mobility scooters within communal areas and we need to prohibit this. Independent Living Schemes have a number of storage facilities, older persons and general needs housing is more challenging to address – the numbers of flats, dispersed locations, lack of suitable space sufficiently nearby and the low concentration of mobility scooters mean that specialist provision cannot reasonably be provided by the Council.
- 2.10 Residents have the option of providing their own storage facility, subject to the necessary permissions and suitability of locations. Tenants with severe mobility needs will be assessed and considered for a transfer to more suitable accommodation.
- 2.11 We intend to consult with tenants within the Independent Living Schemes, older persons and general needs properties prior to implementing the policy and commencing enforcement.

3. Reasons for Recommendation

- 3.1 Advice from the Fire Authority is very clear, mobility scooters are not to be stored in communal areas because of the risks of fire. Having a robust policy protects the Council, both when it makes decisions to allow mobility scooters and in those limited circumstances when we have no alternative but to refuse the request.

4 Alternative Options and Reasons for Rejection

- 4.1 The policy is considered necessary so that members of the public are aware of the Council position on mobility scooters the process we will follow and provides an appeals process where permission is refused.

RECOMMENDATION(S)

1. That scrutiny review and provide comments on the draft Mobility Scooter Policy prior to any tenant and leaseholder consultation.

Approved by Cllr Sandra Peake, Portfolio Holder - Housing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

There are no additional financial implications arising from this report, consultation can be accommodated within existing budgets

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

There are no legal implications arising from the report or Policy.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details: This Policy will significantly reduce the risk of fires within the communal areas.

Staffing: Yes No

Details:

There are no staffing implications arising from the report or Policy.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	<p>Yes</p>

<p>District Wards Significantly Affected</p>	<p>(please state which wards or state All if all wards are affected)</p>
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Details: Customer Services Scrutiny</p>

<p>Links to Council Ambition: Customers, Economy and Environment.</p>
<p>Customers – Providing excellent services</p> <p>Supports Targets CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services</p>

DOCUMENT INFORMATION	
Appendix No	Title
1	Mobility Scooter Policy
2	Best Practice for Mobility Scooter Storage

<p>Background Papers</p>
<p><i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i></p>
<p>None</p>