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## 1. Purpose

This policy sets out our position with regard to the storage, use and charging of mobility scooters in and through all residential flatted buildings owned and managed by Lewisham Council's Housing Service. It applies to all residents regardless of tenure, and to their visitors. It applies to existing and future users of mobility scooters within our housing stock.

## 2. Introduction and context

This policy clarifies existing policy that we have in place, including our Clear corridors policy. It has been reviewed to ensure we provide a consistent approach to safety, while allowing for a different form of implementation in some locations based on our management of risk.

We aim to support our residents to stay independent and have a good quality of life, and we recognise that mobility scooters can play a part in this by providing some outdoor mobility to their users.

However, we have a duty to protect the safety of everyone using our buildings. Mobility scooters can create issues where they are used in buildings which were not designed to accommodate such vehicles.

**Note:** While other small electric vehicles such as e-bikes and e-scooters are out of the scope of this policy, they are not permitted to be used or stored in communal areas of our buildings at any time. Residents are also expected to exercise care when charging any other battery operated product within their property, including e-bike/e-scooter chargers, and should not leave such items unattended during charge, due to a known heightened fire safety risk.

## 3. Policy statement

- 3.1 We welcome the use of manual and motorised wheelchairs within our residential buildings. However in line with our Clear Corridors policy we do not permit the use of mobility scooters in any of our flatted properties, or their communal areas, other than where this policy expressly allows for an exception in a specific building, and where we have given this express permission to an individual user.



3.2 Where we permit the use of mobility scooters in any of our buildings, this will be:

- strictly limited to a designated area of the building
- subject to ongoing risk assessment
- subject to a user agreeing to comply with terms and conditions of use

3.3 Where permission to store, charge, or provide access to a mobility scooter is given this permission may be subject to change or be withdrawn at a later point.

3.4 We will take action where a resident or their visitor uses a mobility scooter in an area where it is not permitted, or where the vehicle causes damage to a building. This may include action for a breach of tenancy or lease.

## 4. Definitions

4.1 Mobility scooters are defined as 'invalid carriages' under the Use of Invalid Carriages on Highways Regulations 1988. The regulations divide machines into three classes:

- Class 1 covers manual wheelchairs
- Class 2 applies to machines designed for use on the pavement, travelling at speed of up to 4 mph. They may be used on the road to cross from one pavement to another or where no pavement is available. (This category includes powered wheelchairs and mobility scooters)
- Class 3 applies to machines that can be used both on the pavement where they are limited to 4 mph, and on the road where they can travel at up to 8 mph. Class 3 vehicles are required by law to be registered with DVLA for road use, and licensed in the disabled taxation class at nil duty.

## 5. Legislation and regulation

5.1 This policy operates in line with legislation, regulation and good practice, including but not limited to:

- Regulatory Reform (Fire Safety) Order 2005
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022
- Building Safety Act 2022
- Public Liability Act 1936
- Housing Act 1985
- Housing Act 2004
- Fire Safety in Specialised Housing 2011 (produced by National Fire Chiefs Council)
- Fire Safety in Purpose built blocks of flats 2012 (produced by Local Government Association)
- Equality Act 2010

## 6. Equality, diversity, and inclusion

6.1 As part of the development of this policy, we checked that we were able to meet our duties under the Equality Act 2010.



- 6.2 We have reviewed this policy to ensure we can provide a consistent approach to safety, while allowing for a different form of implementation in some locations, based on our management of risk. In practice this meant we considered differences in building design and service provision, which could allow us, for example, to consider alternative options for residents in our independent living schemes.

## 7. Monitoring, controls and communication

- 7.1 We will implement this policy through a mobility scooter procedure, and will also monitor it as part of clear corridor arrangements.
- 7.2 We will monitor the performance of this policy through regular inspection of our buildings, and by checking resident compliance with usage requirements.
- 7.3 We will communicate this policy through our website, and by providing additional information to residents in buildings where we permit limited use of mobility scooters.
- 7.4 We will maintain a register of permitted scooters and require confirmation of their insurance annually.
- 7.5 Complaints connected to this policy will be handled in line with our main complaints process.

**Replaces:** Independent Living mobility scooter policy 2020 (Lewisham Homes) Minor updates to reflect the return of landlord services previously managed by Lewisham Homes to Lewisham Council

**Date approved:**

**Effective date:** 11/04/24

**Next review:** 11/04/27

**Approved by:** Lewisham Council's Housing Executive Management team

**Policy owner:** Head of Housing and Communities