



Equality Impact Assessment

Mobility Scooter Policy

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Document details

Title	Mobility Scooter Policy
Document type	Policy
Version submitted for decision	v0.3
New or Existing document	New document
Decision makers	Cabinet
Type of decision	Adoption and implementation
Date of decision	7 November 2022

Contact Officer: Perry DeSouza, Housing Policy Officer

Regulations that apply

The following regulations apply to the proposed policy:

- DDC Tenancy Agreement
- Fire Safety Act 2021
- Equality Act 2010
- Neighbourhood and Communities Standard
- Regulatory Reform (Fire Safety) Order 2005
- Use of Invalid Carriages on Highways Regulations 1988

Definitions

'Residents' refers to tenants, leaseholders, and any other occupants of DDC owned council housing, shared owners and any visitors and family members of those listed.

'Mobility scooter users' or 'users' refers to residents who use, own, or lease a mobility scooter.

"Shared areas" refers to parts of the building or the estate that other residents might use or in some cases spaces that fall outside of the curtilage of their home and need to be kept clear. They include but are not limited to entrance halls, stairwells, landings, communal lounges and communal laundry rooms, kitchens, bathrooms, and balconies.

1. Aim of the decision

1.1 Aim

The aim of the decision is to gain Cabinet approval for the implementation of the proposed Mobility Scooter Policy. This will enable the Council to have an operational document that can be referred to by both staff and residents on the appropriate use, storage and charging of mobility scooters on Council owned premises, and when enforcement action may be taken by the Council.

The policy will support the Council's obligations to the Regulatory Reform (Fire Safety) Order 2005 (as amended by the Fire Safety Act 2021) to ensure that a high standard of fire and safety is adhered to in internal and external shared areas in our properties so that residents can safely evacuate in the event of a fire, and that potential risks are mitigated against.

It will also adhere to the provisions within the Neighbourhood and Communities Standard, produced by the Regulator of Social Housing:

1.1 Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so.

The Council remains committed to promoting the independence of our tenants through supporting their use of mobility aids such as mobility scooters, but this must be balanced with our duty to ensure that shared areas are safe places for other residents, staff, and visitors to access, and remain clear of obstructions in the event of a fire which mobility scooters can pose if stored and charged there.

1.2 Key priorities

The key priorities of the policy are:

- To ensure that mobility scooters are not stored or charged in shared areas where they might pose a fire and safety risk, or an obstruction in the event of a fire.
- To ensure that mobility scooter users obtained permission from the Council before they use, store, or charge them in their home, and both internal and external communal areas.
- To advise residents to seek our permission to store and charge a mobility scooter in specially designated areas or facilities, such as a mobility scooter shed.

- To advise owners of their responsibilities of owning a mobility scooter and the Council's expectations once and if permission has been given to store and charge them.
- To explain the type of enforcement action the Council will take where permission has not been granted, or there are repeat offences or there has been a breach in the conditions of the permission.

1.3 Intended outcomes

The intended outcomes of the policy would be:

- Shared areas (both internal and external) are safe accessible areas for all residents, staff, and visitors to use.
- Shared areas (both internal and external) which may form a fire escape route remain free from obstruction.
- Mobility scooters are not stored or charged in shared areas unless an area has been designated for storing and charging them.
- Current and future mobility scooter owners are aware of their responsibilities and obligations when using, storing, and charging their scooters on Council property.

The intended outcomes of the implementation of the policy are:

- Both staff and residents can take guidance from the document on the correct and appropriate storage and charging of mobility scooters.
- Residents store and charge their mobility scooters in designated areas, such as sheds or rooms, that do not put other residents, staff, and visitors at risk in the event of a fire.
- The Council has an operational document to refer to when making judgements on cases where enforcement action may be required.

1.4 Impact of the decision

The Council currently has 4798 properties which are a mixture of general needs, sheltered housing and shared ownership properties. Many of our estates have shared areas that can be accessed by residents, staff, and visitors.

The policy is likely to impact on residents who currently use mobility scooters to support their mobility and those who are considering using them.

Residents who may use mobility scooters include, but are not limited to:

- Older persons who have restricted mobility
- Individuals who have a disability as defined in the Equality Act 2010

The full impacts and mitigations have been noted in the '[Impacts and Mitigations](#)' table.

2. Information and research

2.1 Demographics

The Office of National Statistics (ONS) reported in their preliminary findings from the 2021 Census that there were more people than ever before in the older age groups (proportion of the population who were aged 65+ years). In the Dover District, those aged 65 years and more represent 24% of the district population¹. This trend, both nationally and locally, is predicted to increase in the future.

A Strategic Housing Market Assessment (SHMA) conducted in 2017 and updated in 2019 stated that between 2020 and 2040, persons aged 18-64 with a long-term mobility impairment is expected to increase by 72.9%, while for those 65+ years this is to increase by 62.8%².

It is acceptable to assume that the use of mobility aids such as mobility scooters may also increase with these predictions.

2.2 Mobility Scooters and fire safety

Mobility scooters are recognised as mobility aids which can enhance the quality of life and help maintain a standard of independence for many older or less mobile residents, who otherwise may be limited in their ability to access common facilities where they live or access those in the wider community.

However, with the increased use of mobility scooters also increases fire safety concerns associated with their storage and charging in communal areas. The design of many of the Council's properties, particularly smaller or older premises and especially blocks of flats, may not allow for the safe storage and charging of scooters. The lack of space, the layout of corridors, lifts and stairwells in communal areas mean

¹ ONS (June 2022), 'Population and household estimates, England and Wales: Census 2021', Figure 5, Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/populationandhouseholdestimatesenglandandwales/census2021> (Accessed 16/08/2022)

² PBA, 'Dover Strategic Housing Market Assessment Partial Part 2 Update', Page 23 (December 2019)

that individuals may store and charge scooters in communal areas which form as part of a fire evacuation route, or near entrances and exits.

While fires caused by mobility scooters are statistically low, they can pose a fire and safety risk to other residents, staff, and visitors which can have serious consequences if not addressed. It is therefore important for the Council to assess and mitigate these risks to prevent harm and potential fatalities.

2.3 Research

In the development of the proposed policy, wider research was conducted to ascertain whether mobility scooter policies were used across the sector. Our research showed that many local authorities, registered providers, and social landlords had operational mobility scooter policies, that acted as guidance to their staff and tenants on the correct use, storage and charging of scooters on their premises.

Many of these policies require residents to obtain permission from their landlord before they can use a mobility scooter and are allowed to store and charge it.

The general consensus is that mobility scooters should not be stored or charged in internal shared spaces or shared areas which form as part of a fire escape route or have not been designated areas to store and charge these vehicles. This is because of the potential fire and safety risk they can pose to residents, staff, and visitors. Some organisations have mitigated the potential negative impacts to residents by providing specific sheds where mobility scooters may be stored and charged, with permission being required before residents can use those spaces, or by completing individual impact assessments for those who require a mobility aid.

The following sources were used in the development of the proposed policy:

- DDC Tenancy Agreement
- Regulatory Reform (Fire Safety) Order 2005
- Fire Safety Act 2021
- Home Office, '[Fire Safety in Purpose built block of flats](#)', (July 2022)
- Use of Invalid Carriages on Highways Regulations 1988
- NFCC 'Mobility Scooter Guidance for Residential Buildings' (May 2018)

Dorset & Wiltshire Fire and Rescue Service published a video explaining the dangers of Mobility Scooters inside buildings and how quickly fires can start and spread: [Dorset & Wilshire Fire & Rescue Service – Mobility Scooter Charging Advice](#).

In 2018 the National Fire Chiefs Council also published 'Mobility Scooter Guidance for Residential Buildings' which provides guidance to landlords, local authorities, registered providers, and other housing professionals on how to manage and mitigate fire risks associated with mobility scooters.

2.3 Tenancy agreement

The Council's Tenancy Agreement already states the following with regards to the storage of mobility scooters:

3.11.6 – You must not leave rubbish, furniture, or any of your belongings in any internal or external communal areas of the property at any time. You must not store bicycles, **mobility scooters** or any items in these areas either, as they can impede fire escapes.

3. Consultation

3.1 Preliminary consultation

We approached 5 mobility disability groups / organisations to take part in a preliminary consultation. The aim of the consultation was to gauge their views and opinions on the main provisions within the proposed policy, and where possible, to provide examples of other mobility scooter policies which demonstrate best practice.

The 5 groups / organisations we contacted were:

- Disability Assist for Independent Living (previously known as Centre for Independent Living Kent (CILK))
- Kent and Medway Wheelchair Service
- Living Made Easy (previously known as Disabled Living Foundation and part of Shaw Trust)
- Kent Physical Disability Forum
- Dover District Disability Association

The preliminary consultation ran from 20 May 2022 to 17 June 2022. We received no responses from the 5 groups / organisations we contacted.

The consultation deadline was extended to 8 July 2022. Attempts were made to contact the groups / organisations by phone and email to ask them to take part in the review and comment on the proposed content of the policy, however we received no comments or feedback by the extended deadline.

3.2 Internal consultation

Consultation was conducted within DDC to gauge responses to the content of the proposed policy. The following departments were consulted during the development:

- Asset & Building Control
- Legal
- Equality & Diversity (Corporate Services)

Comments and feedback provided from each service was taken on board and used to adapt or amend the content where it was felt appropriate to do so.

4. Assessment of the decision

The table below assesses if the decision is likely to be relevant to the three aims of the Equality Duty.

If the decision is relevant to the three aims of the Equality Duty, the Impact and Mitigations table must be completed to show how it is relevant and what the impact(s) will be.

Aim	Relevance Yes/No
Eliminate discrimination, harassment, victimisation	Yes
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.	Yes
Foster good relations between persons who share relevant protected characteristics and persons who do not share it.	Yes

Impact and Mitigations

Characteristic	Relevance High/Medium/Low	Impact of the decision Positive/Neutral/ Negative	Reasons for impact	Mitigations
Age	High	Negative	<ul style="list-style-type: none"> • The provisions in the policy may potentially have a negative impact to older persons who currently use mobility scooters and live in Independent Living sheltered housing schemes. • The policy may also have an impact on residents who are considering using a mobility scooter to support their mobility, in buildings with shared spaces • Designated sheds or areas where users are permitted to store and charge their mobility scooters may be too far from where they live for them to safely get to. • The potential use of enforcement against mobility scooter users where there is 	<ul style="list-style-type: none"> • We will engage with residents where they are in breach of the policy and their tenancy agreement. • Before enforcement action is taken, we will work with the owner to find an alternative solution. This may involve the Council conducting an I Equality Impact Assessment for residents who use mobility scooters. • A check sheet will be attached as an appendage to the proposed policy that clearly defines what mobility scooter users can and cannot do regarding storage and charging. This check sheet will also be published on a dedicated mobility scooter webpage.

			a breach in the tenancy agreement, the neighbourhood management policy, and any permissions to use, store or charge their mobility scooter.	
Disability	High	Negative	<ul style="list-style-type: none"> • The provisions in the policy may potentially have a negative impact to persons with disabilities that impede or affect their mobility, who currently use mobility scooters. • The policy may also have an impact on residents who are considering using a mobility scooter to support their mobility in buildings with shared spaces • Designated sheds or areas where mobility scooter users are permitted to store and charge their mobility scooters may be too far from where they live for them to safely get to. • The potential use of enforcement against mobility 	<ul style="list-style-type: none"> • We will engage with residents where they are in breach of the policy and their tenancy agreement. • Before enforcement action is taken, we will work with the owner to find an alternative solution. This may involve the Council conducting an I Equality Impact Assessment for residents who use mobility scooters. • A check sheet will be attached as an appendage to the proposed policy that clearly defines what mobility scooter users can and cannot do regarding storage and charging. This check sheet will also be published on a dedicated mobility scooter webpage.

			scooter users where there is a breach in the tenancy agreement, the neighbourhood management policy, and any permissions to use, store or charge their mobility scooter.	
Gender	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
Gender reassignment	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
Marriage and Civil Partnership	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
Pregnancy and Maternity	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
Race	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
Religion, Belief or Lack of Belief	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.

Sexual Orientation	Low	Neutral	No impacts have been identified in the completion of the assessment.	None required. No negative impacts have been identified in the research and development of this strategy.
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