

London Borough of Tower Hamlets

E-Vehicles and Pedal Cycles Policy

|  |
| --- |
| Policy |
| Outlining our approach to e-vehicles and pedal cycles relating to mobility vehicles, electric wheelchairs, e-scooters and e-bikes. E-cars are not included in this policy. |
| Date edited: 01/05/2024 |
| Author: Lizzie Skillen - Housing Policy & Regulations Officer |
| Owner: Darren Cruice - Head of Asset Management & Compliance |
| Approved by: Director of Asset Management - 01/05/2024 |
| Review cycle: 3 years |
| Next review date: 01/05/2027 |

Regulatory Standards, Legislation and Codes of practice

|  |  |
| --- | --- |
| Regulator: | The Regulator for Social Housing's framework and standards - Neighbourhood and Community ("clean and safe") |
| Legislation: | * Road Traffic Regulation Act 1984
* Road Traffic Act 1988
* The Electrically Assisted Pedal Cycles Regulations 1983
* Regulatory Reform (Fire Safety) Order 2005
* Use of Invalid Carriages on Highway Regulations 1988
 |
| Codes of practice: | * [LFB Guidance](https://www.london-fire.gov.uk/safety/the-home/e-scooters-and-e-bikes/)
* [TFL Guidance](https://tfl.gov.uk/modes/driving/e-scooter-safety)
* [National Fire Chiefs Council Guidance](https://www.nationalfirechiefs.org.uk/E-bikes-and-e-scooters-fire-safety-guidance)
* [E-Scooter UK Government Guidance](https://www.gov.uk/guidance/e-scooter-trials-guidance-for-users)
 |
| The policy also operates in the context of: | * LBTH Tenancy Conditions - Rule 33
 |

Contents

[1. Introduction 4](#_Toc173766737)

[2. Scope 4](#_Toc173766738)

[2.1 E-Vehicle Definitions 4](#_Toc173766739)

[3. Requirements 5](#_Toc173766740)

[3.1 Storage 5](#_Toc173766741)

[3.2 Charging 6](#_Toc173766742)

[3.3 Ownership 6](#_Toc173766743)

[3.4 Maintenance 7](#_Toc173766744)

[3.5 Insurance and Liability 7](#_Toc173766745)

[4. Enforcement 8](#_Toc173766746)

[5. Review 8](#_Toc173766747)

# Introduction

This policy has been developed and produced to provide a clear guidance to support accessibility and set out the objectives and principles for the safe use, charging and storage of mobility scooters, electric wheelchairs, e-scooters, and e-bikes in areas within our neighbourhoods; to help increase independence and social inclusion, positively impacting on quality of life, allowing tenants to be fully mobile and live independently.

We must be aware of all potential risks involved and protect the safety of all residents, visitors and staff in our neighbourhoods whilst not restricting a person's independence.

# Scope

This policy includes the following e-vehicles, mobility scooters, electric wheelchairs and e-scooters, in additional to electrically assisted pedal cycles or 'e-bikes'. It does not however, include e-cars.

## E-Vehicle Definitions

Mobility scooters or electric wheelchair

Mobility scooters are defined as invalid carriages under the Use of Invalid Carriages on Highway Regulations 1988 and divided into 3 categories:

1. Manual wheelchairs - this policy does not apply to these
2. Designed for pavement use not public highway limited to 4 mph not required to be registered with DVLA
3. Can be used on pavement and on road 4 mph on the pavement 8 mph on road must be licenced with DVLA for road use and cannot be used by anyone under the age of 14. These vehicles will be licenced in the disabled taxation class with nil tax duty.

E-Scooters

Electrical scooters, also known as e-scooters, are categorised as “powered transporters” by the Government and therefore fall into the legal definition of a “motor vehicle”. The laws and rules that apply to motor vehicles also apply to powered transporters, i.e. the Road Traffic Act 1988, Highway Code etc.

It is not illegal to buy or own an e-scooter, or other form of powered transporter, but it is illegal to use an e-scooter:

* On a public road without complying with a number of legal requirements – registration, tax, insured against third party risks, driving licence and meeting relevant safety standards – which potential users will find very difficult to meet
* In spaces that are set aside for use by pedestrians, cyclists and horse-riders; this includes on the pavement and in cycle lanes.

E-Bikes/Pedal Cycles

Any electric bike that does not meet The Electrically Assisted Pedal Cycles Regulations (1983) is classed as a motorcycle or moped and needs to be registered and taxed. You will need a driving licence to ride one and you must wear a crash helmet.

You can ride an electric bike if you are 14 or over, as long as it meets the EAPC requirements. These electric bikes are known as ‘electrically assisted pedal cycles’ (EAPCs). You do not need a licence to ride one and it does not need to be registered, taxed or insured.

You can ride on roads, bike paths and other places where bicycles are allowed under GB law.

# Requirements

## Storage

There is no legal obligation to provide storage facilities however is something that may be considered.

E-vehicles and pedal cycles must not be stored or charged in communal areas, especially in communal hallways, balconies or in close proximity to our buildings (less than 8 metres). This is to ensure that means of escape is by anyway restricted or compromised and that we are maintaining the health and safety and welfare of all our staff, residents and persons visiting and working on the site.

Communal areas include stairways, landings, lifts, entrance halls, hallways, lobbies, shared gardens, bin stores, bicycle sheds, electric cupboards, parking areas, play areas, refuse areas, and areas necessary to gain entry to the building or a property.

Owners are responsible for making sure e-vehicles and pedal cycles are left in secure location, stored tidily and free from trip hazards; any concerns must be reported. Tower Hamlets Homes will conduct random inspections to ensure stored correctly and tidy. Tower Hamlets Homes are not responsible for any loss or damage to scooter when stored.

Due to the extreme risk such vehicles present to fire safety, any e-vehicles and pedal cycles found unattended within the communal areas may be immediately removed without notice and stored for a period of 4 weeks. Costs for the removal of the vehicle must be paid before it is released.

E-vehicles and pedal cycles must only be stored and charged within your private flat or in a designated e-vehicle and pedal cycle store if you block has one, and you are authorised to use it. They must not be stored on private balconies.

Store your e-vehicle or pedal cycle in a cool place, avoid storing them in excessively hot or cold areas. Similarly, avoid storing, using or charging batteries in places of very high or low temperatures. If not going to be used for extended periods of time, follow manufacturers guidance for the storage and maintenance of the lithium -ion battery.

## Charging

All e-vehicle and pedal cycles owners must ensure any manufacturer guidelines and instructions on the safe charging are followed. Batteries and the process of charging poses the highest risk to safety so it is vital that the guidelines are followed.

Batteries must only be charged when you are alert and awake and between 8am and 8pm, as per the NFCC guidance, to reduce the potential overnight fire risk. Owners must remove the battery from the product, if the design allows, whilst it is not being charged. This is to reduce fire risk as this removes the source of ignition.

* Ensure you have a working smoke alarm where you charge your e-bike or e-scooter.
* Do not cover chargers or battery packs when charging as this could lead to overheating.
* Do not charge batteries or store your e-bike or e-scooter on or near combustible or flammable materials.
* Do not overcharge your product - once your item is fully charged, disconnect it and turn the charger off.
* Do not leave the e-scooter charging unattended.
* Batteries should always be charged on hard flat surfaces where heat can dissipate.

Must charge directly from mains electric not via extension lead, but on an RCD protected socket

## Ownership

Owners should follow the relevant manufacturer's guidance for the respective e-vehicle or pedal cycle.

To note, as per Government guidance, it is illegal to use a privately owned e-scooter. You could face a fine, get penalty points on your licence and/or the scooter could be impounded.

Recommendations for ownership

1. Owners should be able to read number plates at a distance of 12.3 metres or 40 feet, this is especially important for drivers of mobility scooters.
2. Must follow manufacturers guidelines and instructions on safe use of e-vehicle.
3. Must be set on lowest speed when being used in communal areas to avoid injury to drivers and others.
4. Only one person allowed on an e-vehicle, this must be the owner or registered driver.
5. No use of mobile phones or other technologies whilst driving. You can use sat navigation or the equivalent, but this must be set up before using the scooter.
6. No driving under the influence of alcohol or drugs.
7. Wear protective headgear, light coloured clothing or fluorescent to be more visible.
8. No bags hanging on handlebars or loose trailing clothes.

Failure to comply could have permission revoked.

## Maintenance

Batteries can be damaged by dropping them, crashing your e-vehicle or immersing it in water. Where the battery is damaged, it can overheat so it is important to protect it. Check your battery regularly for any signs of damage and if you suspect it is damaged it should be replaced and should not be used.

If you need to dispose of a damaged or end of life battery, do not dispose of it in your household waste or recycling. These batteries, when punctured or crushed can cause fires in bin lorries, recycling facilities and waste centres. Your e-vehicle manufacture may offer a recycling service. Alternatively check with your local authority for suitable battery recycling arrangements in your area.

Always use the approved manufacturers batteries and charger for the e-bike or e-scooter. Buy an official replacement battery or charger from a reputable seller if required.

Owners are responsible for providing evidence that the e-vehicle or pedal cycle is being maintained in line with the manufacturer's guidelines. Certificate must be produced to Tower Hamlets Homes every year.

## Insurance and Liability

Residents must be aware, they are liable for any injury caused to another person, damage to where the e-vehicle or pedal cycle is stored, communal areas and any other areas, as a result of their use. Where we have CCTV camera footage, this will be used as evidence.

For class three vehicles (see 2.1), evidence must be provided to show it is licenced with DVLA. If the owner refuses or fails to provide evidence, within the time frame given, we will consider relinquishing permission and take enforcement action against them. By law, you do not need insurance for a mobility scooter, however, to be granted permission by us, users must have appropriate insurance.

Owners are responsible for ensuring a valid certificate of insurance (not covered by contents insurance) and that e-vehicles and pedal cycles are in good working condition, are well maintained and served regularly in line with manufacturers recommendations.

Insurance must include public and third-party liability to cover damage to buildings property and grounds or injury involving residents, leaseholders, staff, visitors, contractors, and all members of the public. Any cost(s) due to damage caused by the e-vehicle may be recovered through the owners’ insurance. If for any reason, insurance has expired or not yet in place, owners will be liable to pay all costs. Only those who are insured and have permission from us, are allowed to drive e-vehicles in communal areas.

# Enforcement

Random checks to ensured stored correctly and safely to be carried out by staff from Environmental Services, Neighbourhoods including the Fire Safety Team and Asset Management teams.

No e-vehicles or pedal cycles to be stored in any communal areas without written consent. We reserve the right to withdraw at any time if the resident does not adhere this policy. The resident will be asked to remove the e-vehicle or pedal cycle immediately and potentially permanently. Failure to comply will be a breach of tenancy and enforcement action will be taken, as per Rule 33 of the Tenancy Conditions.

Hireable e-vehicles and pedal cycles must not be stored in communal areas and should be placed at least 8 metres away from the building and any other fuel sources, for example bins. Our teams will remove any hireable e-vehicles and pedal cycles that pose a risk, to ensure the safety of our buildings.

# Review

This policy will be reviewed in between cycles to ensure it is in line with emerging legislation, government guidance and other external guidance.