

metroSTOR Webinar Summary and Transcript

E-mobility: A Landlord's Legal Obligations

27.02.25

Overview pages **2-4**

Transcript pages **5-15**

metroSTOR Webinar **Overview**

E-mobility: A Landlord's Legal Obligations

27.02.25

On 27th February 2025, metroSTOR's Nigel Deacon welcomed attendees to a webinar titled "E-mobility – A Landlord's Legal Obligations." The session provided valuable insights into the growing challenges landlords face with the rise of e-mobility devices, such as e-bikes and e-scooters.

Mathieu Quenin, legal expert, presented his thoughts on the subject and Jan Taranczuk, fire safety specialist, joined Nigel on the panel to discuss related ideas and answer questions from the audience.

The webinar delved into the risks associated with lithium-ion batteries, highlighting key legal obligations and fire safety considerations for landlords. Participants had the opportunity to engage in discussions and get answers to their most pressing questions about e-mobility and fire safety in rental properties and social housing.

Introduction

Mathieu began by emphasising the increasing risk associated with e-mobility devices over the past two to five years. He noted the growing number of lithium battery-related incidents, such as exploding phones, electric car fires and e-bike/e-scooter fires. He pointed out that other countries seemed more aware of these risks.

Shift in Focus

Mathieu explained that his focus had shifted from cladding and general building safety improvements following the Grenfell disaster and the subsequent Building Safety Act 2022 to the risks associated with items brought into those buildings, like e-mobility devices.

Statistics and Liabilities

He cited statistics indicating several annual fatalities in the UK due to domestic fires caused by lithium-ion batteries. In London, e-bikes and e-scooters caused a fire every two days. He stressed that landlords could face potential liabilities due to these fatalities, referencing recent inquests, including the Shadwell fire in London. These inquests revealed common findings such as a lack of understanding regarding battery dangers and the absence of manufacturing standards.

Legal Proceedings and Regulations

He mentioned that the surviving tenants from the Shadwell fire had begun **legal proceedings against their landlord** based on negligence. Mathieu noted the government's move towards introducing regulations to ensure battery safety and that current regulations were often ignored by manufacturers, particularly those located abroad. He recommended the London Fire Brigade's (LFB) guidance as the most comprehensive.

Upcoming Regulations and Proactive Measures

Mathieu outlined the timeline for upcoming regulations, including the Product Regulation and Metrology Act, which aimed to regulate those batteries. He cautioned against waiting for these regulations before taking action, as landlords could still be held civilly and criminally liable under the Fire Safety Order 2005 and the Building Safety Act. He noted the LFB's increased issuance of enforcement notices against landlords.

Recommendations

Mathieu **advised against banning** all e-mobility devices due to potential discrimination issues under the Equality Act 2010. Instead, he suggested including specific provisions in new tenancy agreements related to e-mobility devices. Mathieu's recommendations covered key points including:

1. Policy and Compliance

It is essential for landlords to establish clear, well-communicated policies, particularly for existing tenants. These policies should:

- Outline restrictions on the storage of e-mobility devices in communal areas
- Require tenants to have adequate insurance
- Include enforcement actions for non-compliance

Policies should also be retroactive and align with the Equality Act 2010, ensuring they address both fire safety concerns and disability considerations without discriminating against tenants who rely on mobility scooters.

2. Legal Routes for Enforcement

For registered providers, breaches of these policies can be addressed using the Anti-Social Behaviour, Crime and Policing Act 2014, Mathieu explained. This allows landlords to obtain court injunctions for the removal of non-compliant devices.

Non-registered landlords, however, have options such as issuing tort notices or pursuing nuisance abatement when devices are improperly stored or pose a safety risk.

In more complex situations, particularly when e-mobility devices are stored within private premises, landlords may need to seek court orders for specific performance or injunctions.

3. Fire Safety Concerns

Fire safety, Mathieu emphasised, remains a primary concern, with modified e-bikes and e-scooters presenting the highest risks. Charging e-devices, particularly overnight in unsafe locations, poses a significant fire hazard. Housing providers are advised to educate tenants about the dangers of improper charging and collaborate with local Fire and Rescue Services to ensure proper storage and safe charging practices.

4. Handling Mobility Devices

Mathieu recommended conducting a person-centred fire risk assessment to evaluate the individual needs of tenants, including those who rely on mobility scooters or other devices for daily living. This assessment helps landlords understand the unique risks each tenant might present. While mobility scooters generally present lower risks compared to modified e-bikes, landlords should remain vigilant, particularly regarding fire hazards arising from improper charging practices.

5. Best Practices and Collaboration

Landlords are encouraged to collaborate with Fire and Rescue Services and share best practices across the housing sector, Mathieu stated. Gentoo's partnership with Tyne and Wear Fire and Rescue Service is a prime example of successful joint working to identify unsafe e-devices and mitigate fire risks. Housing managers should adopt a proactive approach to identifying potential risks, educating tenants, and implementing policies designed to prevent accidents.

Q&A Session

Following the presentation, the session transitioned to an interactive Q&A segment with participants who were able to direct questions for Mathieu, Jan and Nigel as well as share resources and experiences with other colleagues.

Q: What are the insurance implications for landlords in the event of a fire caused by e-mobility devices?

A: Jan responded that insurers were increasingly aware of the risks and may require landlords to demonstrate they had taken steps to mitigate them, potentially affecting premiums and coverage. He advised landlords to review their policies and discuss the risks with their insurers.

Q: What specific advice should be given to residents in policies?

A: Jan suggested focusing on safe charging practices, proper battery storage and the importance of using approved chargers. Matt added that policies should be clear, concise and easily accessible to all residents.

Q: What is the responsibility for e-bikes left in communal areas?

A: Matt clarified that if tenancy agreements prohibited such storage and the items were deemed abandoned, landlords could take steps to remove them. However, he cautioned that landlords should follow proper procedures and provide notice to the tenants.

Q: What about liability if a tenant tampers with the battery?

A: The panel discussed the complex issue of liability if a tenant tampered with a battery and caused a fire. They indicated that it would depend on the specifics of the situation, the terms of the tenancy agreement and whether the landlord had taken reasonable steps to warn tenants about the risks.

Q: How can policies practically be enforced?

A: It was noted that enforcement could be challenging but that regular inspections, clear communication and consistent application of policies were important.

Conclusion:

The key takeaway from the webinar is the importance of taking proactive steps. Landlords should update tenancy agreements and policies to address the risks of e-mobility devices, educate tenants on safety and develop strategies to identify and manage fire hazards.

Legal frameworks and practical solutions, such as injunctions, tort notices and nuisance abatement, are vital tools for enforcement, but preventing issues through clear communication and risk assessment is the priority.

metroSTOR Webinar **Transcript**

E-mobility: A Landlord's Legal Obligations

27.02.25

Nigel Deacon:

So welcome everyone to our inauguration on legal obligations which Mathieu Quenin has kindly agreed to present his thoughts on the subject from Capsticks. And then tell you a bit more about himself in a moment. And also Jan Taranczuk is also going to be on the panel with myself. We're going to knock around a few ideas and then welcome obviously questions from you guys, the audience. So hopefully I've covered the housekeeping elements and Mathieu, it's over to you please.

Mathieu Quenin:

Thanks very much, Nigel. Hi everyone. Thank you for joining this session today. So as Nigel said, my name is Mathieu Quenin, which is very French and very difficult to pronounce, even for me. So by all means, do feel free to call me Matt. So you'll have noticed from this really funny accent that I originally qualified from another country not too far from the UK.

Although I have fully requalified as a solicitor specialising in construction litigation with a focus on building safety, and in particular on the developments that they have been following the Grenfell Tower Inquiry and the associated legislation relating to the BSA and obviously all the subsequent regulations that stem from the BSA.

So today, very happy to be conducting a session on e-mobility devices.

So yes, "e-mobility; landlords' legal obligations," which is going to be the subject of my presentation, our presentation today, and obviously the questions that will follow. So in terms of contents, please don't worry, it won't be too long. There are 20 slides in total, but I'll make sure that I keep the content as entertaining as possible.

So first, we see that there's been a growing risk regarding e-mobility devices over the past two years and very much a focus clearly over at least the past five years. It is a risk which is specific now to landlords because, for some of you as landlords, you will be responsible given the stages that you have under the legislation that I won't cover.

So that's why you do need to be proactive, either by anticipating, so preventing risks before they occur, or by mitigating those risks once they have occurred. So I'll be covering all of those elements through this presentation and by all means, if you have any questions, please do feel free to pop them into the Q&A so that we are able to answer afterwards.

As you all know, at least lithium battery-related incidents have been hitting the headlines in recent years. So whether we are talking about exploding phones or electric car fires, or indeed, for what is the interest of our topic today, e-bikes and e-scooters that will set ablaze.

Something interesting is that abroad people seem to be more alert to the risk of those batteries, and I'm just going to give you an example. So I so happened to be in Southeast Asia at the moment, and the battery I was

travelling with—a small spare battery—was thrown away once I was flying through China, out of the risk of the fact that it could provoke an incident.

Chinese security and customs were really not happy about the fact that I'd been able to fly with that battery from London to Shenzhen. So that was the first incident of my trip here. And subsequently in Vietnam, I bought another battery which I left in my luggage, quite stupidly I must say, so not in my carry-on. And I was stopped by the Vietnamese authorities to go and pick up my battery and to make sure that it was travelling with me in my carry-on.

So Heathrow, no issue whatsoever with my aged battery, whereas evidently in some other countries those batteries, the lithium batteries, however small, are fire safety risks that are taken into account.

One of the most concerning features of battery fires is that they can seemingly ignite days or weeks after they were thought to be extinguished. So there is a real risk there, and that's why there have been so many incidents as a matter of fact.

As a fire safety sort of expert within my area—construction litigation and also building safety expert—the focus of the past few years has very much been on cladding and improving building safety in general following the Grenfell disaster.

So we had the seven-year-long public inquiry which concluded last September through a significant report which was obviously quite damning, as well as the enactment of the Building Safety Act 2022, which is a life-changing piece of primary legislation for building safety lawyers, given the ramifications that it has for absolutely every single aspect of building safety.

As you'll know, it is bound to change following the Grenfell report and the government's plan of action in that regard. So something to look out for and to see how it pans out in future.

Recently we've had a shift, so a focus from buildings and improving them and the fact that now the focus has shifted to things that are brought into those buildings, including e-mobility devices containing those batteries.

In the UK, there are several fatalities every year in domestic fires caused by lithium-ion batteries. And if we look at London in particular, so only in London, e-bikes and e-scooters cause fires every two days, we are told by the London Fire Brigade. And we can see that it's increased exponentially over the past years to reach roughly 150 fires over the past two years, only in London.

So why is it so important for some of you as landlords to be so aware of those risks? It's because fatalities do occur, and potential liabilities as a result of those fatalities will be borne by landlords.

If we consider the recent inquests that there have been in respect of a few recent cases, there have already been four inquests because of fatalities related to e-mobility devices in domestic premises, one of which being the Shadwell fire.

So that was a fire on Cornwall Street. We have the coroner's report that was published on the 29th of August 2023, and it was caused by one of those batteries.

What I'm going to say is that very basically with all those four inquests, we have common findings which are:

- Too many fatalities that are caused by e-mobility devices annually across the UK.
- There is a lack of understanding in relation to the dangers of those batteries.
- There's no standard at present that regulates how those batteries are made.

We'll see that it's going to be regulated fairly soon, but at present, there's none. And it is easy for people to buy them and to tamper with them.

And so we find ourselves in a situation where we have lots of tenants that have these incredibly dangerous devices that have been tampered with—sometimes unwittingly, because they are not even aware of it. Sometimes they have done that themselves, which is a major risk of fire.

If we look in particular at the Shadwell fire, this is a case that is of interest because you may be aware that the fire occurred in premises where there was a house of multiple occupancy with very many tenants.

And the surviving tenants are now commencing legal proceedings against their landlords based on negligence and liability under the Occupiers' Liability Act 1957.

So liability is being engaged. I haven't been able to locate any updates on this case at present. Again, that's something that will be interesting to see what the court decides and where it goes in terms of liability for landlords going forward.

But there is that civil element as well as, and obviously it's beyond the scope of this presentation, but a criminal element.

And so as landlords, you also want to make sure that you do the right thing—not only as a matter of principle, but to avoid civil liability as well as potentially criminal liability.

the common findings among the coroner's reports—obviously those slides won't be circulated to you—so we've been able to identify four inquests which have led to interesting findings from the coroners and elicited responses from the government and other agencies. And so it's become incredibly pressing now for the government to introduce regulations to make sure that those batteries will indeed be subjected to a framework to ensure that health and safety is safeguarded for homes, including tenants.

So, what you should, what you may wish to know, I'll just cover this very briefly. I appreciate there's loads of information on the slide—is that there are some regulations at the moment, although they are not really complied with. I've quoted three of them, but manufacturers actually ignore those regulations. Mainly because they are located abroad and therefore they are not really subject to them, and so once those batteries are imported, there's actually no regulation and very much a lack of statutory solution to tackle this issue at present.

If there's lots of guidance—and you will have come across it—the reason why I actually set out in this slide is to show that I think too much guidance is very much killing the purpose of raising awareness, because that guidance is incredibly confusing. It comes from different authorities, and none of the guidance contradicts each other. However, it's really difficult at present for you to navigate through that guidance personally.

As personally, whenever asked questions about which guidance should be followed, I have found that the LFB's guidance is the most comprehensive one. So I would suggest that you look at the LFB's guidance. Oddly enough, it is even more comprehensive than the guidance from the NFCC. So I think the LFB's guidance in general is a good first response whenever you have queries about what to do and what not to do.

Given the urgent need for legislation, you know, I have this timeline here just so you know that regulation is underway. As I was saying, in August 2023, a product safety review was launched asking for views on what to do in order to regulate those batteries. In July 2024, The King's Speech confirmed the introduction of a bill intended to reform the UK's Product Safety regime, including those batteries.

In September 2024, the draft Bill was introduced to the House of Lords. November 2024, the Labour Government published its response to the initial Product Safety review. And at present, we are in a sort of back-and-forth between the two chambers in relation to this bill, which has still a long way to go before becoming law. But ultimately, we will have this Product Regulation and Metrology Act, which will regulate those batteries.

So, something to look forward to. You may think, "Well, let's just wait to see what the regulation will say before we actually do anything, even though we are aware that there's a risk that our civil liability and criminal liability may be held, but we don't have any guidance at present, we don't really know what to do." We've got the guidance from the LFB, but that's about it, and there's not much that we can do.

Well, actually, you do need to be proactive. I think that's something that you've heard of before. As landlords, very often you will be an entity that has responsibility depending on certain circumstances, so you'll be potentially the responsible person under the Fire Safety Order 2005. I must say as a fire safety indicator, that's the piece of legislation I come across most often at present.

So, the LFB has very much cracked down on landlords recently by issuing notices, mainly enforcement notices against landlords, including housing associations. And those of you who are served with an enforcement notice need to be aware that you have only 21 days to appeal it. Most of the time, you'll need to appeal it, because the enforcement notice is far too ambitious, to put it politely.

It won't allow you to comply within the allocated timetable. So if you see an enforcement notice and you are the responsible person, that means you have found your duties allegedly, according to the LFB, under the Act, the Fire Safety Order. You need to be prompt in appealing it to the magistrate's court, and that's something that, obviously, I'm really happy to help with.

But that is not the only piece of regulation that may apply to you. You may also be responsible as the Principal Accountable Person (PAP) under the Building Safety Act if you are dealing with a higher-risk building. So, seven stories, 18 meters. I won't delve into those details, but you'll know whether in your portfolio or your stock, whether you have HRBs (higher-risk buildings) and therefore whether you may be a PAP.

You'll be aware of the distinction between Principal Accountable Person and Accountable Person. If not, what you need to know is that there's always a Principal Accountable Person. If there's only one Accountable Person, there will be a Principal Accountable Person. It may be a managing agent, although it's not always clear.

So, if you have a query in that regard, again, we are able to advise because it's quite technical. Most of the time, you'll be the responsible person under the Fire Safety Order 2005. So it's the first row in the table. If not, you may be a Principal Accountable Person under the Building Safety Act.

But you can also potentially be subject to the HSWA, the Health and Safety at Work Act 1974. You do have a general and overarching duty to comply with health and safety regulations, those three pieces of legislation may all apply at the same time to you, as well as managing agents. They'll be investigated, or rather applied, by different prosecutors. So, for the Fire Safety Order 2005, it will be the Fire and Rescue Authority, like LFB in London. For the principal accountable person under the Building Safety Act, that will be the Building Safety Regulator, BSR. And for the Health and Safety at Work Act 1974, it will be the Health and Safety Executive.

So how to be proactive then, given that you may be the responsible person, the principal accountable person, or responsible under the other legislation? Before that, you may think, oh well, in that case, let's ban all those devices. Let's ban all those batteries. They are just causing issues. We don't want to have them. Well, no. Because the thing is, if you are to do that, you may actually find yourself indirectly discriminating against your tenants, because disability is a protected characteristic under the Equality Act 2010. So banning all those devices within the premises is not the solution.

However, what can be done preventively? For tenancy agreements that are going to be drafted, my housing management colleagues will be really happy to advise you on that and draft those contracts. For example, you can ensure that obligations and covenants are included in relation to e-mobility devices, so have specific provisions in those tenancy agreements. A question that you may have is, can we do that for existing tenancy agreements? Not really. You would have to obtain the agreement of the tenants, but I'll just touch upon policies that you can implement, which may prove as effective as having those provisions in tenancy agreements.

You could also have a provision that says no flammable material is to be stored in the property. Or you might include a covenant that states that if you're able to identify an e-scooter or e-mobility device in the common areas, when you know that it's forbidden to have them stored in the common areas, you will treat them as abandoned and therefore be able to get rid of them. That's something that can potentially be introduced in your new tenancy agreements. You can also have a kind of sweeping-up or catch-all covenant which may prove incredibly useful, whereby it states that residents should comply with health and safety regulations in general and that any breach will be sanctioned and that you will pursue the tenants who are in breach.

Tenancy agreements can cater for the risks associated with those devices and the batteries. If not particularly for existing tenancy agreements, what you may wish to have is a policy. A policy is effectively a permission policy whereby all tenants have to ask before being able to store those devices within the premises or within the building. In an ideal world, you'd want to have a dedicated storage space. That may not be possible, but what you may be able to do is, on a case-by-case basis, allow one of your tenants to have one of these devices on the basis of the Equality Act, for example because they are disabled. That's something that can be discussed with the tenants.

The policy could include something about the fact that it complies with the Equality Act, it's clear on its scope, and that it is retroactive. That's why it's interesting because it could apply for all existing tenants, whereby it's, this is our policy now, and you should be aware of it. You would make it clear that those devices shouldn't be stored in communal areas, that insurance should be taken out by tenants for their devices, and that you will not hesitate to take enforcement action if they are found not to comply. That flows nicely to what I'm going to talk about next, which is what to do once those risks have already arisen.

What can you do if you are in a situation where you are aware that a tenant is not complying and has a device in their premises? There are various scenarios to consider, which will vary depending on who you are as the landlord and the location as to where the items are stored.

If you are a registered provider, the most straightforward way to deal with those breaches is probably the Anti-Social Behaviour, Crime and Policing Act 2014, which is quite efficient in providing a route for you to sanction those breaches. It allows a registered provider, among other persons, to obtain an injunction from the court saying that the tenant did that, please ask them to either remove their device or provide an order whereby their device will be removed. It covers communal areas and private premises, which is why it's quite convenient. Limited evidence is required, as in, you only need to show that you have warned your residents on several occasions that they could not store an e-mobility device, but they have nonetheless persisted in doing that, notwithstanding your warnings. So in general, and this is something I would say as a litigator, just keep records of absolutely all your correspondence, making sure that you have a trail, so that if you need to go to court to ask for an order or an injunction, you will be able to provide very quickly the evidence, including correspondence.

The situation will be different if you are not a registered provider. You still have those routes, although you may not need to use them, and I've broken down what you can do in that case. If the device happens to be in the communal areas, what you may wish to issue is a tort notice. What a tort notice does is say, this device shouldn't be there. We are notifying you that we won't be held responsible if we remove it. We know that normally we would be committing trespass to your goods by removing it. However, because we are notifying you that this device shouldn't be there and that therefore we're going to remove it, you are backing yourself up. So that's the purpose of the tort notice. It's giving a warning, which may then allow you subsequently to remove the device. However, you need to keep the device when you do that, so it may be tricky. But the main benefit of the tort notice is that because it's quite formal and legal, it may by itself result in the tenant complying and agreeing to remove their device.

Otherwise, another route that can be explored is to abate a nuisance. If you do that, you need to evidence that it is a very dangerous nuisance and that you have no choice but to remove it. Again, you will need to make sure that you have evidence to back yourself up in order for that route to be available to you. It's potentially more straightforward as you don't need the court authorization for either of those options, tort notices and nuisance abatement. However, you will need legal assistance, but those are routes we can explore for you.

If the e-mobility device is in private premises, it's much trickier. In that case, you need to go to court. There are potentially two options here. Either an order for specific performance, whereby you say, well, according to this lease or this tenancy agreement, the tenant was not complying with their obligations and therefore we're asking the court to force them to comply. But this is provided that the tenancy agreement exists in the first place and indeed caters for that situation and sets out those obligations. A policy wouldn't be enough to

get an order for specific performance. What may be used is an injunction, whatever the situation, based on the danger posed by such a device. You will need to obtain court authorization. It's what we call an equitable remedy, so it's at the court's discretion. You really need to show the court that you have no choice but to do that, that the tenant has been incredibly unreasonable, that you've done absolutely everything in your power to ensure compliance, and that in spite of all of that, the tenant is still in breach. You may be able to obtain an injunction.

I was speaking to housing management colleagues earlier today about injunctions, and there is a debate at present as to whether forced entry would be granted. It's fairly rare, but it does happen. The court must be absolutely convinced that everything else has been exhausted first.

There is an additional power if you are an accountable person or principal accountable person under the Building Safety Act 2022. Again, it will only apply for high-risk buildings—so 18 metres in height, seven storeys minimum. For those buildings, you may be able to implement actions because residents must not create a significant building safety risk. For example, improper storage of an e-mobility device. If they do that, you are able to issue a contravention notice. However, the contravention notice itself is not enforceable on its own. You would have to apply to court to enforce it, but it is a useful tool in higher-risk buildings.

Nigel Deacon:

Thank you. That's excellent. It's given us lots of things to think about there. Shall we get to some of your questions?

Leah's asking: where do landlords stand when giving advice on e-scooters, which, as we know, are not legal for use on public roads or pavements. Does that actually make any difference for us, Matt, when we're looking at what comes into our buildings?

Mathieu Quenin:

Well, no. And also, you have to know the limitation of your expertise. What you can regulate is the storage of those e-devices. However, you can't start investigating whether those devices are compliant with existing regulations, which are limited, as I mentioned. But no, I think it doesn't really change anything beyond that.

Jan Taranczuk:

I'll add to that because, for those of you who weren't on the call last month with Gentoo, it's worth going back onto the metroSTOR website. Perhaps Nigel could share the link in this chat. Gentoo up in Sunderland have done some really good work with the Tyne and Wear Fire and Rescue Service and a local company in identifying units that were not roadworthy, essentially. They've worked very closely with the Fire and Rescue Service. So I think all of that together, the joint working is really important. And us as housing managers understanding that we don't necessarily understand that particular part of the issue. We just need to make sure that what's in our properties can be safe.

Nigel Deacon:

Yeah, that's helpful. Thank you. And that sort of leads into the next question from Heidi, I think. So, can we remove e-bikes or scooters from inside the property? How would we know if the battery is dangerous? Some defects will be very obvious, such as if they've been modified. A bike conversion kit, for example, can be very high risk and easily identified. Others, less so. I think part of this policy is to distinguish what might be acceptable and what might not. But Matt, what's your thought on that?

Mathieu Quenin:

Well, I think the first question, and it's sort of linked to the question that comes just after it, is whether you're okay with having e-scooters inside the property in the first place. From all the policy documents I've reviewed — and Jan will be able to give more of a practical stance — from what I've seen, landlords are usually not keen to have those devices within the premises of the tenant, and policies reflect that. So that's the first question to potentially ask yourself: are you okay with them having these e-devices within their properties? Then, as Nigel said, some elements will be very obvious. Others, well, you won't have the expertise to assess them. So you may need to regulate for absolutely everything and decide on a plan of action for every single e-device.

Jan Taranczuk:

I think that's right. And again, I'd urge people to look at the Gentoo experience, because there's no point in reinventing the wheel. What they've done is excellent. It's also important to remember that not everything electrical on bikes is dangerous. Many bike manufacturers are able to confirm they've never had a fire with their kit because it was built properly in the first place. So I think working closely with the Fire and Rescue Service and sharing that information is vital. It's also important to share advice about how to charge the bike, because there may be no other place for that bike to go, and that becomes an issue. The challenge is to make sure residents know that plugging it into a socket next to the front door and charging it overnight is probably not a good idea. That bit of advice, in my view, is as important as everything else, because it's the charging that's the dangerous bit. I keep saying to people: you can't trust anything electrical these days, and you need to be clear about not charging anything overnight. That's part of the general advice linked to your local Fire and Rescue Service.

Nigel Deacon:

Thank you. Yeah, that's great. I think we've probably answered both questions there.

Adobe's asking about nuisance abatement. Can that process be conducted by both a registered provider and a local authority?

Mathieu Quenin:

Yes. I would need to double-check that, but I would tend to say yes. Normally, yes. Although I'd want to confirm that with my housing management colleagues. But I believe that, yes, for local authorities, that is possible as well.

Nigel Deacon:

Good. Well, if anyone's got any other questions, feel free to raise your hand.

Jan Taranczuk:

Nigel, can we just go back to Simon's point, which I think is a very valid one, about the person-centred fire risk assessment? I think that's a really valuable point because not enough attention is being paid to person-centred fire risk assessments. They should be undertaken every time a tenant moves into a property and should be part of the general toolkit for housing officers whenever they're visiting properties. We should be building up a picture of the fire risks within the property, whether they relate to the individual or the way that individual is living. That includes whether they've got an electric bike stored in the corner or a mobility scooter. All of that helps to build up the picture that landlords need to take a greater interest in. Up until now, people have tended to say — and it happened with hoarding many years ago — housing managers at a senior level used to say, "We can't do anything about that because it's behind the front door." I think if Octavia Hill, the Queen of Housing Management, were around today, she'd be saying it is very much our business, and we need to know, and it's something we should be doing.

Nigel Deacon:

Yes, that's good. So please, if anybody's got any questions, do raise your hand. Paul is making a point about the danger of indirect discrimination if we say a scheme is unsuitable for somebody who needs a mobility scooter. Any thoughts on that, Matt?

Mathieu Quenin:

Well, it is a difficult one. A disability is a protected characteristic, so as such, there could be a breach of the Equality Act 2010. However, there is an exception if you can show that the aim goes beyond that protected characteristic. Sorry, I'm making it sound really convoluted. Simply put, if you say, "Look, okay, you are disabled, but fire safety takes precedence over your disability," you have an excuse. But you need to be absolutely certain that you can justify discrimination on that basis. So again, you may wish to seek legal advice from colleagues who specialise in discrimination law, who will be able to advise.

Jan Taranczuk:

Can I just add to that? Because I think it ties into the original point about person-centred fire risk assessments. Quite clearly, if someone has that nature of a disability, without the mobility scooter they may well have difficulty escaping from either the building or the home they're in. They might have trouble getting away if a fire occurred in the property itself, or they might have difficulty escaping from the building if there's a fire elsewhere. All of that needs to be taken into account. From my experience — and I'm happy for someone to correct me — but I'm not aware of a mobility scooter fire occurring inside a property causing a major problem. We're back to the charging issue. Most concerns for local authorities or housing associations have been about mobility scooters being charged in corridors, causing both a blockage and the potential for smoke. The main issue is how that individual is dealt with within the property from a general fire safety perspective.

On Tracy's question about how to work with leaseholders with mobility issues, I'm not sure if you're talking about people who are tenants of leaseholders. If that's the case, under the RRO, it's the leaseholder — the person who owns the property — who is responsible for dealing with their tenant. Although, as a freeholder, we would want to be involved as well.

Nigel Deacon:

Yeah, that's good, Jan. We've got seven recorded incidents involving mobility scooters in flats, but not very many.

Jan Taranczuk:

Okay.

Nigel Deacon:

They can potentially cause fires even when they're not being charged. Both scenarios are possible. But we can't ignore that the majority of fires are happening with e-bikes and e-scooters, particularly bikes that have been modified. I'm not downplaying the challenges around mobility scooters — they're not insignificant — but the bigger risks are around e-bikes. Those are probably the ones we should prioritise with robust processes in place. Mobility scooter incidents are relatively infrequent, and if you've got a quality product that's regularly inspected and hasn't been modified, the risk is quite low.

Does that sound fair?

Jan Taranczuk:

I agree entirely, and Simon's point about the adapted e-bikes being the real concern is absolutely spot on. That's where Tower Hamlets, Gentoo, Poplar HARCA, and others have been doing clever things. I would urge colleagues on the call—if your organisation is doing innovative work with residents around this issue—to share it.

Nigel Deacon:

We're looking at it.

Jan Taranczuk:

I'd be really interested to hear about any work around e-bikes because I've been asked by the CIH to lead a session on fire safety up in Liverpool in September. I'm looking for people to join me on stage to share how they've been addressing this with residents. If anybody has a flag to wave about the positive work they're doing, please contact me. I'm on LinkedIn if you're not already connected. Let's have a conversation. But I do think it's the adapted e-bikes that are the main issue, and that's where the Fire and Rescue Services have also been focusing their attention.

Nigel Deacon:

I agree. We're nearing our end, so I'll wrap up. Matt, what would you say are your key takeaways from today? If people are going to remember just a couple of things, what should they be?

Mathieu Quenin:

Yes. I would say, first, don't rely on the upcoming legislation—act now, preventively. Don't be complacent. We know that was one of the main criticisms from the Grenfell Tower Inquiry. So act preventively. For new tenancy agreements, include the necessary provisions around this, and for existing tenancies, have a policy in place. Those are my two takeaways from today: get your policies sorted and update your tenancy agreements.

Jan Taranczuk:

Absolutely.

Nigel Deacon:

Yeah, that's good. Thank you for that. Jan, how would you summarise?

Jan Taranczuk:

Very wisely. I agree with the lawyer.

Nigel Deacon:

That's excellent. Well, what we'll be working on—and please do put forward any questions you'd like us to address in future events—is exploring this further. We want to look at what a good policy could look like, what should be allowed, and maybe what should definitely not be allowed. We're really keen to share best practice across the industry.

So it's been really helpful, Matt. We appreciate the clarity you've brought on several aspects, especially regarding obligations, potential steps, and tools we can use to address these risks. I completely agree with you—it's a significant risk, not one we can ignore. Like you say, get policies in place, educate people, raise awareness, and start identifying where your risks are and how to reduce them. You can't do everything all at once, but you can make a start.

I'll put the link in a moment for the last webinar we did with Gentoo, which I think sets out a really good way to begin this process, even though there will definitely be further steps down the line. But we can start educating, assessing, uncovering, and identifying risks, and begin mitigating them.

Thank you, Matt. Really appreciate it. Thank you, everybody, for joining today. We'll circulate the recording, slides, notes, etc., over the next few days. Look out for the next session. Thank you very much, everyone. Have a great day.