

# Mobility Scooter Policy



Sandwell  
Metropolitan Borough Council

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Purpose	<i>To promote the use and safe storage of mobility scooters and provide a clear statement on the management of mobility scooter storage and use within the Council's communal spaces.</i>		

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## Mobility Scooter Policy

### 1. Aim of Policy

1.1 Sandwell Council has a duty to ensure that mobility scooters for residents of flats are being stored safely. This policy introduces the following:

- To promote the use and safe storage of mobility scooters and provide a clear statement on the management of mobility scooter storage and use within the Council's communal spaces.
- To protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors.
- To ensure all new and existing tenants are aware that before they purchase or lease a mobility scooter, they must seek permission from the Council to ensure there is adequate storage and charging facilities available. This may also involve gaining separate permission through the [Adaptations Policy for Disabled Tenants in Council Housing](#).
- To encourage all residents to purchase adequate scooter insurance, arrange annual Portable Appliance Testing (PAT) for their scooter and keep their vehicle in good working order.
- To make tenants aware of their own responsibilities with regard to storage and use of mobility scooters.
- To ensure mobility scooter owners are aware that they will be held liable for any injury to other people or damage caused to the building or communal area as a result of incorrect storage or use of their scooter and will be recharged for any damage.

### 2 Scope and Definitions

2.1 This policy relates to the Council's tenants, leaseholders (including households subletting), shared owners, including household members and their visitors.

2.2 A mobility scooter is an electrically powered scooter designed for people with restricted mobility, typically those who are elderly or disabled. The DVLA has developed guidance on mobility scooter and wheelchair classifications, as follows;

- **Class 1** – Manual wheelchairs, i.e. self-propelled or attendant propelled, not electronically propelled. These are not required to be registered with the DVLA. These are not covered by this policy.
- **Class 2** – Powered wheelchairs and scooters – intended for footway use only with a maximum speed of 4mph and an unloaded weight not exceeding 113.4kgs. These are not required to be registered with the DVLA. These are covered by this policy.

- **Class 3** – Powered wheelchairs and scooters with a maximum speed of 8mph generally intended for use on roads and highways. The unloaded weight must not exceed 150kgs. These are required to be registered with the DVLA. These are covered by this policy.

### **3 Legal Background**

3.1 Before formulating our policy recommendations, it is essential to understand the legal framework around the use of mobility scooters.

3.2 This policy takes into account the following legislation and guidance:

- Health and Safety at Work Act 1974
- Use of Invalid Carriages on Highways Regulations 1988
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- The Care Act 2014
- Local Government Association guidance on fire safety in purpose-built blocks of flats 2011
- The Chief Fire Officers Association Mobility Scooter Guidance 2017
- The National Fire Chiefs Council Fire Safety in Specialised Housing 2017
- The National Fire Chiefs Council Mobility Scooter Guidance for Residential Buildings 2018

### **4 Policy Statement**

4.1 Mobility scooters have become an increasingly popular mode of transportation for individuals with disabilities or mobility issues as a means of transport, enabling independence and enhancing the overall quality of life.

4.2 In addition, council accommodation, including sheltered housing and assisted living facilities, is a popular housing option for individuals with disabilities or mobility issues. However, storing and using mobility scooters in these communal areas present numerous safety challenges.

4.3 In the 2021 National Census, Sandwell's proportion of residents who identified as being disabled was greater than the national average (17.8%).

4.4 Mobility scooters have undoubtedly provided a new level of freedom for people with disabilities, but they can also pose risks to others. Nationally there have

been incidents of accidents, property damage and fire safety issues caused by mobility scooters, which have led to concerns and complaints from other residents of flatted accommodation.

- 4.5 As the use of these vehicles grows, so too do the concerns regarding their safe storage and use in communal areas in council accommodation. Particularly where communal areas are of limited size, storage and fire safety of mobility scooters pose significant issues for tenants, visitors and council officers.
- 4.6 This policy considers a range of relevant factors to enable Sandwell Council to develop proportionate and risk-based procedures and systems. These procedures and systems will act as an enabler to prevent injury, reduce risk to all relevant persons in the event of a fire, to promote independence and to comply with all relevant fire safety and health and safety at work legislation.
- 4.7 This policy document aims to facilitate responsible mobility scooter users in council accommodation by setting out the safety concerns and management options available. In particular, the need for permission to store mobility scooters within tenant or leaseholder properties, the potential grounds for refusal, and any consequential action for those who fail to comply with the aforementioned policy options.
- 4.8 Sandwell Council conforms to the Equality Act in ensuring our customers can maximise independent living using the most appropriate equipment available to allow them to do so.
- 4.9 While our customers meet the cost of mobility scooters privately, Sandwell Council has a duty to ensure that these vehicles are being used legally, with full responsibility being taken by the owner who resides in a flat within a multi-storey building.

## **5 Storage and Fire Safety Concerns**

- 5.1 When undertaking the fire risk assessment of your building our team will consider all risks related to fire and in particular to address the risks posed by the storage and charging of mobility scooters.
  - Research has indicated that within 3 minutes of a mobility scooter igniting, the temperature of the mobility scooter could reach 375°C. The speed of temperature rises and rapid volumetric smoke production, occupants of a building would need to evacuate very quickly to escape unharmed. Meaning a fire involving a mobility scooter that is being stored within common exit routes, an escape corridor or stairwell would render conditions untenable in less than 3 minutes, since the smoke and heat will make such routes impassable and put occupants at risk<sup>1</sup>.

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<sup>1</sup> BRE Trust Project <https://plumis.co.uk/sites/plumis-co-uk/files/2018-08/FI-Trust-Report-Mobility-Scooters-May-15.pdf>

- For this reason our Fire Safety protocols forbid the storage of mobility scooters in communal areas, lifts or corridors, where they could prevent people from easily evacuating the building if there was a fire.
- Mobility scooters should only be charged within designated storage/recharging areas and must be charged according to the manufacturer's instructions.

## **6 Requesting Permission**

- 6.1 Tenants and leaseholders should seek prior approval from the council before they purchase a mobility scooter.
- 6.2 This policy will apply to all new requests to keep a scooter, to customers considering moving into a council property and retrospectively to existing tenants who already have a scooter without permission.
- 6.3 Tenants and residents who wish to obtain a mobility scooter must apply in writing to their Local Service Centre for permission.
- 6.4 The decision will be made in conjunction with the Fire Safety Team following a property inspection. This can be carried out prior to the tenant obtaining a scooter to help residents choose an appropriate model.
- 6.5 The council will respond to requests within 28 days of receipt. The terms and procedures in force at the time of applying for permission will determine whether permission is granted.
- 6.6 Permission will only be granted where the needs and wellbeing of residents and other users of the building are not adversely put at risk.
- 6.7 Permission will be refused where:
  - A tenant/leaseholder fails to provide any documentation requested by Sandwell Council
  - The mobility scooter blocks any fire escape route.
  - There is no safe storage in the tenant or leaseholders flat and no alternative safe storage and charging space can be provided.
  - A major physical alteration to the premises is required which the council believes to be unreasonable in terms of cost and/ or disruption to other service users.
  - A tenant/leaseholder fails to take out the necessary insurance cover. The Council requires mobility scooter owners to hold a valid certificate of insurance for the mobility scooter. Tenants/leaseholders are expected to

provide a copy of their valid insurance certificate on request from an officer of the Council.

- If the scooter is too large to fit through internal or external entrances, or if the tenant wishes to keep more than one scooter when this cannot be done safely.

6.8 Where permission is refused, the council will explain the reasons and give details of the appeal process. Where permission is given, this will be conditional, and will outline the storage and charging arrangements available.

## **7 Purchasing a Mobility Scooter**

7.1 Prior to the purchase of a mobility scooter the resident, or their family, must consult with Sandwell Council to find out if suitable space is available and the most appropriate type of vehicle. If the resident wants to store the vehicle outside of their property the resident must consult with the Council to start the consultation process with neighbours who may be affected.

7.2 Before buying a mobility scooter it is important that you take time to consider your options as this may save you time, effort and resources later on. There are many different types of mobility scooter and you need to find one that is suitable for your needs i.e. size, height, weight and restricted movement.

7.3 This policy recommends that all new mobility scooters that are to be purchased by a tenant have been manufactured in accordance with BS EN 12184:2014. Tenants are advised to discuss this with their commercial retailer, prior to purchase to ensure that this is the case.

7.4 People who purchase a second-hand mobility scooter through local newspaper advertising or similar outlets, do not have this safeguard so must be wary. The mechanical state of the scooter and the state of the batteries, which are expensive to replace, needs checking.

7.5 It is important that your scooter is properly maintained. This will prolong its life and reduce the risk of fire and mechanical breakdown. The manufacturer's handbook will tell you how often your scooter should be tested.

7.6 For details of the British Healthcare Trades Association visit: [www.BHTA.net](http://www.BHTA.net)

For information on mobility schemes visit: [www.motability.co.uk](http://www.motability.co.uk)

For details of charities that may assist with funding visit:

[www.charitychoice.co.uk](http://www.charitychoice.co.uk) or [www.guidestar.org.uk](http://www.guidestar.org.uk)

## **8 Storing and Charging Mobility Scooters:**

- 8.1 There is no legal obligation to provide storage facilities for mobility scooters. Sandwell Council recognises the value that mobility scooters bring to people's lives. We will work with residents so far as is reasonably practicable to find the best solution for the safe storage and charging of mobility scooters.
- 8.2 Every tenant or leaseholder should notify Sandwell Council of their possession of a mobility scooter and a record of this will be kept. To aid this notification, regular communication will be undertaken to raise awareness and a registration form will be supplied to anyone who is identified as potentially owning a mobility scooter.
- 8.3 On receipt of a registration form, an assessment will be made to determine the best method of storage and where batteries will be charged. Action from Sandwell Council will be required should a mobility scooter be identified that increases the risks from fire.
- 8.4 No Mobility Scooter can be stored or charged in an internal communal area unless an area has already been specifically designed and set aside for this purpose or specific written permission has been granted by Sandwell Council.
- 8.5 Where designated internal areas have been provided or permission granted to store within a communal area, residents must comply with any health and safety procedures that have been put in place. Failure to comply will result in a breach of either tenancy or lease and the mobility scooter will have to be removed from the communal area immediately.
- 8.6 Charging should be undertaken inside a resident's flat or Sandwell Council approved storage area, in accordance with the manufacturer's instructions. Under no circumstances may mobility scooters be charged on a communal landing unless approved charging facilities have been fitted and Sandwell Council has given permission in writing.
- 8.7 Mobility scooters must not be left abandoned within the designated storage areas. Unclaimed mobility scooters may be removed by the Council and if the Council does remove a mobility scooter, the customer may be recharged for this.
- 8.8 No alterations can be made to the communal building or resident's flat, without written consent from Sandwell Council.

## **9 Safe driving**

- 9.1 Mobility scooter owners should ensure any manufacturer guidelines or instructions on the safe use of the mobility scooter are followed.



- 9.2 Mobility scooters must be set at their lowest speed whilst being used in communal areas to avoid injury to themselves, other tenants, leaseholders, Council staff, visitors, and contractors.
- 9.3 Sandwell Council encourages all mobility scooter owners to complete a certified mobility scooter training course to ensure they ride safely, confidently, and competently.
- 9.4 It is recommended by the DVLA that mobility scooter owners should be able to read a car's registration number from a distance of 12.3 metres (40 feet) and must take responsibility for ensuring that this can be done. Mobility scooter owners may have to pay compensation if they have an accident, and poor eyesight was part of the cause<sup>2</sup>.

## **10 Insuring Your Mobility Scooter**

- 10.1 Mobility scooter owners should have appropriate insurance in place; it is mandatory that this should include liability insurance in case of either damage to building, or injury involving other people who may be living at or visiting the property.
- 10.2 Please note: mobility scooters are not covered by the Sandwell Council contents insurance, therefore separate cover would need to be arranged to provide third party cover (should any damage occur to a premises or to another person).
- 10.3 The insurance must include public liability insurance against accidents and or other injury, to third parties or themselves as well as damage to the internal or external parts of the property, including those parts allocated for storage of scooters. Tenants who apply for permission should expect to produce their insurance certificate for inspection by the Council.
- 10.4 The Council does not accept liability for any losses or damage to a mobility scooter, whether it is on Council property or not.

## **11 Maintenance**

- 11.1 Tenants are responsible for ensuring their scooter is serviced and maintained regularly. The manufacturer's service guide should be followed for maintenance.

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<sup>2</sup> DVLA (2023) <https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/eyesight-requirements>

11.2 Typical service and maintenance measures include:

**The Electrics**

- Wires and Connectors
- Batteries (Full Test and Results)
- Lights, Indicators and Horn
- Speed Pot and Throttle Pot (Forward & Reverse Lever)

**The Chassis & Parts**

- Tiller Head
- Nuts and Bolts
- Chassis & Body Work
- Seat Locking Bolts
- Tyre Wear and Pressure
- Charging System & Charger

**The Motor and Brake**

- Motor
- Transaxle
- Magnetic Break
- Steering
- Tracking
- Free Wheel Lever

11.3 Mobility scooter owners are responsible for ensuring a Portable Appliance Test (PAT) is undertaken on their mobility scooter equipment in line with the manufacturer's guidelines to ensure they are safe to use.

11.4 A copy of an annual PAT certificate will need to be provided by the owner of the mobility scooter at their own expense to Sandwell Council to ensure the battery is safe with no faults. This must be carried out by a certified electrician.

11.5 If any equipment fails the PAT test, it will be the scooter owner's responsibility to repair/replace the damaged item before it can be used again. The Council reserves the right to take legal action against you if the repair/replacement does not take place in a reasonable time period.

**12 Training**

12.1 In order to communicate the policy to staff, Sandwell Council will provide sufficient training to enable staff to understand and comply with the document.

**13 Policy Review**

13.1 We will review this policy annually, or sooner if there are any changes to legislative, regulatory, best practice or operational issues.