

Mobility Scooter Policy

Applicable to all Council Properties and Mixed Tenure Blocks

Approved by Communities, Housing and Infrastructure Committee on
the 20th of January 2016 with implementation on 20th of January 2016

Approval Date	20 th of January 2016
Implementation Date	20 th of January 2016
Policy Number	POL-FC-0001
Policy Author/s and Owner	Kevin Kelly
Approval Authority	Communities, Housing and Infrastructure
Scheduled Review	August 2025
Date and Changes:	
<ul style="list-style-type: none"> • The policy was reviewed in 2017 and 2020 – No changes were made. • 18/05/2024 Previous policy document updated to reflect new Corporate Template, some minor changes to job titles, legislation, terminology and a separate tenant guidance document updated. 	

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1. Why does the Council need this Policy?

- 1.1 This policy is required to regulate as far as possible the ownership, storing and charging of mobility scooters within **all** council properties including, flats, tenements and multi storey blocks, sheltered and very sheltered blocks.
- 1.2 The aim of the policy is to eradicate as far as possible the storing of mobility scooters in high-risk areas such as corridors where residents walk, fire escape doors and next to heaters. The policy also aims to reduce the likelihood of mobility scooters being charged in an unsafe manner, such as in these high-risk areas or charged unsupervised for lengthy periods of time e.g. overnight. The main points are: -
- Ensure the safety of all our residents and visitors in all council blocks of flats.
 - Ensure the Council meets its statutory obligations which supports health and safety within blocks of flats.
 - Provide information on size restrictions for scooters which can be stored and charged in the tenant's own home.
 - Ensure that residents are aware of their responsibilities relating to the storage, charging and use of mobility scooters in and around the building and especially in designated communal areas.
 - Make residents aware of their responsibilities for any injury caused to another person, or damage, caused to communal areas or other Council property, as the result of their mobility scooter usage.
 - Ensure as far as possible that residents who own or lease mobility scooters have adequate insurance cover, which should include public and third-party liability to cover damage to buildings, homes and grounds, or injury involving residents, visitors or staff.
- 1.3 To ensure the Council meets its statutory obligations in relation to s.53 and s.54 of the Fire (Scotland) Act 2005, s.93 of the Civic Government (Scotland) Act, and Scottish Government guidance which supports health and safety within blocks of flats including:
- [Practical Fire Safety Guidance for Existing Specialised Housing and Similar Premises](#)
 - [Practical Fire Safety Guidance for Existing High Rise Domestic Buildings](#)
 - [Practical Fire Safety Guidance for Existing Care Homes](#)
- 1.4 To ensure residents are aware that they are required to seek permission to keep a mobility scooter within the building and that they understand their responsibilities relating to the storage, charging and use of mobility scooters in and around the building and especially in communal areas.

2. Application and Scope Statement

- 2.1. This policy affects all residents of council blocks of flats including Tenements, Multi Storey and Sheltered and Very Sheltered complexes who either own/lease or are seeking to own/lease a mobility scooter within the building. Those residents must abide by the rules and guidance as set out in the policy, if there are any queries residents should seek advice from their Housing and Support Officer. Owners can contact the council by calling 03000-200-292
- 2.2 This Policy applies not only to all tenants but also owners as well. As part of their title conditions, owners are required to comply with any rules and regulations which may be prescribed from time to time by the Council, relating to (a) the care and management of the said multi-story block; (b) the use of items of common ownership; and (c) the cleaning of common areas, stairways and passages.
- 2.3 In addition to any title conditions, the following Common law principles also apply:
 - Each co-owner has a right to use every inch of the common property.
 - Only ordinary use is permitted, and one co-owner can prevent extra-ordinary use by other co-owners
 - One co-owner cannot take excessive benefit of common property at the expense of the other co-owners and cannot assume exclusive possession over all or part of it without the consent of the other co-owners.

3. Responsibilities

- 3.1. The responsibility for managing the policy lies with the Chief Officer Housing.
- 3.2 Residents' Responsibilities:
 - Residents who currently have a scooter, or are considering purchasing or leasing one, must get permission to keep a scooter within the building from the Housing Teams. Information or advice can be sought from Housing and Support Officers or Senior Personal Carers within housing complexes.
 - Residents must keep common property free of combustible substances and anything which might obstruct egress from and access to the property in the event of fire
 - As part of the permission to keep a mobility scooter in the block, residents should have a valid certificate of insurance for the vehicle. Insurance should include public and third-party liability to cover damage to buildings, property and grounds, or injury involving residents, visitors or staff.

- Residents will be responsible for ensuring the scooters are serviced annually and maintained and charged in line with the manufacturers' instructions. Proof of annual service should be provided on request.

3.3 Aberdeen City Council's Responsibilities:

- Ensure as far as possible that residents comply with this policy.
- Ensure that blocks of flats are visited by the Housing and Support Officers on a regular basis to confirm, as far as possible, that the policy is being adhered to.
- Visit all residents with mobility scooters annually to check information such as permission, insurance and service, and evidence such visits by keeping notes on Aberdeen City Council's Housing Management system, iWorld.

3.4 Bon Accord Care Responsibilities:

- Maintain a register of Residents who have mobility scooters in Sheltered blocks.
- Notify the Housing and Support Officer of any non-compliance of this policy.

4. Supporting Procedures and Documentation

4.1 Applications to keep a mobility scooter can be submitted either by letter, e-mail or via the Housing Online portal. Applications are then assessed including a home visit, they are then either approved or declined and appropriate letters are sent to the applicant. Applications which are approved are also supplied with guidance notes.

4.2 Information including the name and address of the applicant, any related notes and the date for the next inspection are held on Aberdeen City Council's Housing Management system, iWorld.

5. About this Policy

5.1 Aberdeen City Council is committed to promoting equalities and recognises that residents should have a quality of life which allows them to maintain and maximise independent living. Therefore, we understand the value that a mobility scooter can bring to the lives of some residents.

5.2 Aberdeen City Council has a duty to comply with the law relating to health and safety and including fire safety. The law applies to and covers general fire precautions and fire safety duties which are required to protect people in case of a fire in and around the premises. Where necessary, fire precautions should be put in place to the extent that is reasonable and practicable.

- 5.3 As such, the Council takes the health and safety of all residents, staff and visitors very seriously, especially:
- The fire safety of individual dwellings within sheltered housing schemes and other housing blocks.
 - Ensuring that there is safe access to and from common areas and that these areas and all escape routes are kept clear of obstructions and combustible materials, as set out in section 93 of the Civic Government (Scotland) Act 1982.

Storage and Charging

- 5.4 Residents must obtain written permission to have a scooter stored and charged within their home or in any storage area designated for such a purpose within the block.
- 5.5 Permission to store and charge a scooter will not be unreasonably withheld however this will depend on the availability of a suitable space being designated if the scooter will not fit into the resident's home.
- 5.6 A risk assessment must be carried out at the residents' home to ensure that there is sufficient space for the scooter to be stored safely, that access or exit from the home is not restricted and that charging can be carried out safely. If this cannot be guaranteed, permission cannot be granted. Note if the resident is an owner, then we would need their permission to enter their home.
- 5.7 Charging of scooters in dead end corridors and single stairway escape routes (e.g. multi storey blocks) is not permitted in any circumstances. Even where alternative means of escape are available, the storage, and particularly the charging, of mobility scooters in common corridors and escape routes is not generally recommended and all other alternatives should be considered.
- 5.8 Mobility scooters should be charged in the resident's flat or a designated area within the complex (main building) or a designated external area on the premises. While being charged, the mobility scooter **must not** be left unattended or charged overnight. They must not be left next to sources of ignition and heaters such as radiators. It should be noted that the general construction of mobility scooters and the types of batteries mean that if a mobility scooter is involved in a fire, it can release large volumes of smoke and generate significant heat outputs in a very short period of time. There is a risk of means of escape routes being obstructed, potentially putting residents, staff and visitors at significant risk.
- 5.9 Mobility scooters must not be stored or charged in any internal communal areas, unless an area has been specifically designated and set aside for this purpose by the housing team. Allocation of any spaces if available will be on a controlled basis. Area

housing teams will provide advice to residents in finding a workable solution to their storage and charging issues.

Permission is likely to be refused where:

- There is no safe storage space available in the residents 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, feasibility and/or disruption to other service users.

Communal Areas

5.10 In the interest of Residents' health and safety, mobility scooters should not be stored and charged in communal areas, unless the tenant is permitted to use a designated scooter storage/charging area in the block.

Speed Limits

5.11 Scooters should be operated safely and in a responsible manner, especially within the confines of the building and grounds of their block. All scooters should be set at the lowest speed setting when being used indoors.

Consultation and Communication

5.12 Aberdeen City Council is committed to full consultation in the development of its policies.

5.13 Tenant groups have been consulted on this policy and their comments have been incorporated within the policy where appropriate.

5.14 Area Housing Teams, Bon Accord Care, Scottish Fire and Rescue officers and Elected Members have also been briefed on the Council's position and have endorsed this policy document.

5.15 Council officers will discuss with residents who already own mobility scooters to consider their storage and charging options. This will place the emphasis on finding a solution, while considering the Council's policies and resources.

5.16 Queries related to this policy should be directed to the Aberdeen City Council Contact Centre at - 03000 200 292 (Option 2). British Sign Language users can contact us by using ContactSCOTLAND-BSL. Alternatively, you can use the Next

Generation Text Service also known as Text Relay by dialling 18001+the required telephone number listed above.

- 5.17 For Fire Safety advice in relation to this policy, residents can contact the Scottish Fire and Rescue Service - Tel: 01224 618340, Email: N.ABERFSE@firescotland.gov.uk

6. Risk

6.1 This policy will aim to mitigate risk in relation to Residents who own mobility scooters in all council blocks of flats throughout the city.

6.2 This policy will mitigate the following risks:

- **Strategic Risks** – This policy will help to reduce the risk of certain strategic outcomes not being achieved by Aberdeen City Council. For example, Stretch Outcome 10 of the refreshed [Local Outcome Improvement Plan](#) aims to improve life expectancy for the people of Aberdeen. Ensuring that those who require mobility scooters operate them safely will contribute towards this outcome.
- **Compliance Risks** – This policy will help to ensure that the use of mobility scooters in Aberdeen City Council blocks is compliant with the Civic Government (Scotland) Act 1982, specifically s.93 which relates to fire precautions in communal areas. In addition, this policy will help to ensure that the Council meets its fire safety obligations to employees, residents and members of the public under s.53 and s.54 of the Fire (Scotland) Act 2005.
- **Operational Risks** – Unsafe storage, charging and operation of mobility scooters in and around Council blocks could potentially pose a risk to staff, residents and members of the public. This policy will mitigate risk in relation to fire safety and the unsafe operation of mobility scooters, while helping to ensure that staff are able to execute their roles safely and residents can safely reside in their buildings.
- **Reputational Risks** – This policy clearly outlines the Council's position regarding the use of mobility scooters in its blocks of flats to staff, Residents and members of the public. This mitigates reputational risk by ensuring consistency when making decisions.

6.3 Risks associated with this policy will be monitored on an ongoing basis by the Housing Teams. The impact of these risks will be assessed against the strategic objectives of Aberdeen City Council's Local Housing Strategy and in accordance with the Risk Management Policy.

7. Environmental Implications

7.1 There are no environmental implications arising from this policy

8. Policy Performance

8.1 As part of their inspections / checks of complexes, Housing and Support Officers should ensure that residents are compliant with the arrangements that have been made / agreed for the storage, charging and maintenance of their mobility scooter.

8.2 This policy should ensure that the number of Mobility Scooter incidents are reduced.

9. Design and Delivery

9.1 This policy supports Aberdeen City Council's statutory obligations, as well as the Council's policies and guidance relating to fire safety. This policy also has links to the [Local Outcome Improvement Plan](#), for example Stretch Outcome 10. Links to relevant, guidance and legislation can be found below:

[Practical Fire Safety Guidance for Existing Specialised Housing and Similar Premises](#)

[Practical Fire Safety Guidance for Existing High Rise Domestic Buildings](#)

[Practical Fire Safety Guidance for Existing Care Homes](#)

[Fire \(Scotland\) Act 2005](#)

[Civic Government \(Scotland\) Act 1982](#)

[Fire Safety \(Scotland\) Regulations 2006](#)

[Housing \(Scotland\) Act 2006](#)

Section 93 of the Civic Government (Scotland) Act 1982 requires occupiers to keep common property free of combustible substances and anything which might obstruct egress from and access to the property in the event of fire. It should also be noted that under the same legislation, a notice can be served requiring a tenant to comply with the guidance i.e., keep the property free from anything which might block a fire exit. Failure without a reasonable excuse to comply with such a notice, or repeated failures, is a criminal offence and makes the offending person liable to a fine of up to £1000. Any notice to a tenant who ignores the guidance should contain such a warning of the applicable punishment for failure to comply.

10. Housekeeping and Maintenance

10.1 Residents, housing staff and other strategic partners such as Scottish Fire and Rescue Service, Bon Accord Care, Aberdeen City Health and Social Care Partnership and the

Health and Safety Executive will be involved in the development and review of the policy.

- 10.2 The policy and its supporting documentation will be reviewed on an annual basis or earlier if required and all relevant stakeholders will be consulted, however comments or suggestions for improvement may be actioned at any time.

11. Communication and Distribution

- 11.1 The policy is published on the Council external website and posters are placed in council blocks. The updated policy will be e-mailed to all Senior Housing and Support Officers who will then distribute to their staff. A council magazine published quarterly is used to promote policies as are press releases

12. Information Management

- 12.1 Information generated by the application of this policy will be managed in accordance with the Council's Corporate Information Policy and Supporting Procedures.
- 12.2 The information relating to the application is stored on the Council's housing management system Northgate (iWorld). The information is available to housing staff who are required to make routine visits annually to residents who own mobility scooters.

13. Definitions and Understanding this Policy

Local Housing Strategy - A Local Housing Strategy sets out a strategic vision for the delivery of housing and housing related services and the outcomes that it will seek to achieve. The Scottish Government expects a LHS to be prepared and submitted around every five years.

Resident – A resident is a person or persons who are living in a block of flats irrespective of their tenure e.g. Tenant. Owner or private tenant.

Mobility Scooters - mobility scooters are defined as “invalid carriages” under the Use of Invalid Carriages on Highways Regulations 1988. The Regulations divide these machines into three classes: -

Class 1 - Manual wheelchairs.

Class 2 - Machines designed for use on the pavement, travelling at a speed of 4 Miles per Hour. They may also be use on the road to cross from one pavement to the other or where no pavement is available.

Class 3 – Machines that can be used both on the pavement where like class 2 vehicles they are limited to 4 Miles per Hour, and on the road where they can travel at speeds of 8 Miles per Hour. These types of vehicles are required by law to be registered with the DVLA for road use. These vehicles will be licensed in the disabled taxation class where no duty will apply. Please follow the link [here](#) to see the main features and differences in Class 2 and Class 3 scooters.