



Mobility Scooter in Flats Policy

This policy was produced in 2025 and is version 1.0

This policy was adopted by Council on xxxx

Review Frequency: MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations

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1 Introduction

- 1.1 Mobility scooters are becoming increasingly popular in society. Customers are utilising mobility scooters and powered wheelchairs in particular to improve their independence.
- 1.2 Mid Devon House (MDH) affirms its commitment to promoting equality and inclusion, and acknowledges the essential role that a variety of mobility aids, including mobility scooters, play in supporting residents to maintain independence, to access opportunities, and to participate fully in community life. These aids contribute significantly to enhancing residents' quality of life and social wellbeing.
- 1.3 MDH has a statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, MDH is required to ensure that the use of mobility vehicles within flats and communal areas complies with all relevant legal and safety requirements.
- 1.4 This policy sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.

2 Aims and Objectives

- 2.1 The main aims of the policy are:
 - To provide tenants and their visitors with clear and comprehensive guidelines regarding the safe use, storage, and charging of mobility scooters and powered wheelchairs on Council-owned flats and land;
 - To ensure MDH fulfils its statutory obligations to protect the health, safety, and wellbeing of all residents, staff, and visitors within its housing stock;
 - To prevent mobility scooters from causing obstructions, trip hazards, increased fire risks or blocking designated escape routes in the event of an emergency;
 - To ensure that all prospective and existing tenants are provided with appropriate information and guidance prior to acquiring (by purchase, lease, or other means) any mobility scooter or powered wheelchair, including the requirement to seek permission from MDH for storage or charging at their property;
 - To ensure that tenants and leaseholders in flats are fully aware of their responsibilities concerning the use, storage and charging of mobility aids within and around buildings, particularly in communal areas;
 - To clarify that tenants and leaseholders bear full responsibility for any injury to individuals or damage to Council property resulting from the use, storage, or charging of mobility scooters or powered wheelchairs;
 - To ensure that tenants and leaseholders obtain and maintain appropriate insurance coverage, including public and third-party liability, to protect against potential claims arising from damage to buildings, property, or communal grounds, or injury to residents, visitors or staff.
 - Ensure that tenants with disabilities or mobility needs are supported to maintain independence and equality of access to their homes and services.

- Provide reasonable adjustments, including alternative solutions for safe storage/charging where a tenant's disability means compliance with the standard arrangement would cause substantial disadvantage. This will normally only apply to powered wheelchairs supplied by a medical professional.
 - Commit to signposting to alternative solutions (including re-housing) in the case of affected tenants where policies on fire safety and accessibility potentially conflict.
- 2.2 The objective is to ensure that the use of mobility scooters or powered wheelchairs within Council owned flats and land is safe and adheres to guidance provided by the National Fire Chiefs Council.

3 Regulatory Framework and Context

- 3.1 Under the Safety and Quality Standard, The Regulator of Social Housing (RSH) requires all registered providers to provide safe and good quality homes and landlord services to tenants. Under the Neighbourhood and Community Standard, registered providers must work co-operatively to assist in resolving issues affecting the upkeep and safety of the shared spaces associated with their homes.
- 3.2 The RSH regards councillors as responsible for ensuring that providers' businesses are managed effectively and that providers comply with all regulatory requirements.
- 3.3 The Social Housing (Regulation) Act 2023 has impacted the regulatory framework for social housing and introduces a new, proactive consumer regulation regime focused on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 3.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants' views on our performance.
- 3.5 The TSM's associated with this policy are:
- TP06 - Satisfaction that the landlord listens to tenant views and acts upon them
 - TP07 - Satisfaction that the landlord keeps tenants informed about things that matter to them
 - TP08 - Agreement that the landlord treats tenants fairly and with respect
 - TP10 - Satisfaction that the landlord keeps communal areas clean and well maintained

4 Related Legislation and Relevant Policies

- 4.1 MDH is governed by the following legislation and government guidance:

- The Housing Act 2004
- The Landlord & Tenant Act 1985
- Social Housing (Regulations) Act 2023
- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Management of Health and Safety at Work Regulations 1999
- The Chief Fire Officers Association Mobility Scooter Guidance 2017
- The National Fire Chiefs Council - Fire Safety in Specialised Housing Guidance 2017
- The National Fire Chiefs Council - Mobility Scooter Guidance for Residential Buildings 2018
- Use of Invalid Carriages on Highways Regulations 1988
- The Health and Safety at Work Act 1974
- The Care Act 2014
- Local Government Association guidance on fire safety in purpose built blocks of flats 2011

4.2 The following should be read in conjunction with the policy:

- MDH Tenancy Agreement
- MDH Tenancy Management Policy
- MDH Neighbourhood Management Policy
- MDH Homes Safety Policy

5 Permission & Permitted Use

- 5.1 All tenants and leaseholders living in flats must obtain prior written permission from MDH before storing or charging mobility vehicles or powered wheelchairs within any Council-owned flats or on Council-managed land.
- 5.2 Permission will not be granted to store or charge mobility scooters in flats above the ground floor.
- 5.3 Requests for permission must be submitted in writing using a permission form and will be assessed on a case-by-case basis. MDH reserves the right to refuse permission where it is determined that granting such permission may pose a risk to health, safety, or the integrity of the property.
- 5.4 Tenant wishing to seek permission for a mobility scooter or powered wheelchair must apply using a permission request form. These can be found on our website: [Mobility Scooters - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/mobility-scooters)

- 5.5 This policy does not seek to prohibit the reasonable use, storage, or charging of mobility scooters or powered wheelchairs across MDH-managed housing. Instead, it aims to ensure that such use is safe, controlled, and consistent with fire safety and housing management standards.
- 5.6 Tenants residing in ground floor flats who wish to store and charge mobility scooters and powered wheelchairs within their private dwelling may be permitted to do so at their own risk, subject to obtaining MDH's written approval. Approval will be conditional upon the storage and charging not causing damage to the building fabric, internal infrastructure or MDH-owned fixtures and fittings.
- 5.7 The storage and charging of mobility scooters and powered wheelchairs must only be carried out using the original manufacturer-supplied chargers. These chargers must be subject to Portable Appliance Testing (PAT) on an annual basis. Tenants are responsible for arranging and funding PAT testing for their devices and must provide MDH with valid certification each year as a condition of continued permission. MDH are able to provide a PAT test and valid certificate for a fee. Please contact us for further details.
- 5.8 Tenants are also responsible for ensuring their mobility scooter or powered wheelchair is serviced and maintained regularly. The manufacturer's service guide should be followed for maintenance.
- 5.9 Tenants are required to maintain appropriate insurance which should include valid public liability insurance for any mobility scooters and powered wheelchairs used, stored, or charged on the premises, in case of either damage to the Council's property, or injury involving other Council tenants or their visitors. Evidence of up-to-date specific mobility scooter insurance coverage must be submitted to MDH on an annual basis.
- 5.10 Please note that mobility scooters and powered wheelchairs are not covered by the Council's insurance. Therefore, tenants should arrange their own contents insurance cover.
- 5.11 The Council does not accept liability for any losses or damage to a mobility scooter or powered wheelchair, whether it is on the Council's property or not.
- 5.12 If permission is refused the tenant has the right to appeal the decision. The wish to appeal the decision should be communicated to MDH in writing within 21 days of the tenants being informed of the refusal. The appeal will be conducted by the Operations Manager for Housing. The outcome of the appeal will be final.

6 Mobility Scooters and Powered Wheelchairs

- 6.1 Mobility Scooters are defined as an "Invalid Carriage" under the Use of Invalid Carriages on the Highways Regulations 1988 in which they are divided into three categories:

6.2 Class 1 Vehicles

- Manually operated wheelchairs which are not electrically powered. These do not need to be registered with the DVLA and tenants do not need to apply for permission to have or store such wheelchairs.

6.3 Class 2 Vehicles

- Powered wheelchairs and mobility scooters for pedestrian routes and indoor use, that are limited to a maximum speed of 4mph and do not exceed an unladen weight of 113.4 kg.
- Class 2 vehicles are not allowed on the public highway and are not required to be registered with the Driver and Vehicle Licensing Agency (DVLA).
- Tenants do need to apply for permission to have these types of vehicles.

6.4 Class 3 Vehicles

- Powered vehicles and mobility scooters that are designed to:
 - Travel up to 8mph and are used on roads/highways and;
 - Fitted with a device to restrict travel to a maximum speed of 4mph on pedestrian routes and for indoor use.
- Class 3 Vehicles must not exceed an unladen weight of 150 kg.
- Class 3 vehicles are not classed as motor vehicles but they are required to be licensed with the DVLA for road use and cannot be operated by anyone below the age of 14
- Permission will not be given to store or use this type of vehicle within MDH properties.

6.5 If permission for a mobility scooter has been given, tenants should ensure that they follow these guidelines:

- Ensure that they follow any manufacturer guidelines or instructions on the safe use and charging of their equipment
- Remove the battery from the mobility scooter (if possible) if not being charged or used
- Restrict charging at night, from 8pm to 8am – this will reduce the risk to those who are asleep
- Ensure that the scooter is not stored in front of exit doorways or fire escape routes within the property or anywhere within the property inhibiting safe entry and exit. If in doubt, the tenant should contact MDH for advice on suitable storage location.

6.6 Where safe storage or charging within a property is not feasible and a tenant requires a mobility aid due to a disability, MDH will engage with the tenant to explore alternative arrangements. This may include:

- External, single scooter secure storage solutions (at tenants cost and where safe to do so)
- Access to adapted communal spaces (with risk mitigation)
- Advice on home adaptations or alternative housing options.

7 Storage and Charging within Flats and Communal Areas

Storage

- 7.1 Tenants must obtain prior written permission from MDH to store a mobility scooter or powered wheelchair within the confines of their property. Storage of mobility scooters within the home is undertaken entirely at the resident's own risk.
- 7.2 Permission to store a mobility scooter or powered wheelchair will not be granted where its use necessitates travel in a lift to access the property (that is flats or maisonettes accessed via lift above ground floor level).
- 7.3 The storage of mobility scooters in any internal communal area—including, but not limited to, corridors, stairwells, or spaces beneath staircases—is strictly prohibited.

Charging

- 7.4 Tenants must obtain prior written permission from MDH to charge a mobility scooter within the confines of their property. Permission will be subject to compliance with the established mobility scooter charging criteria. Charging within the home is undertaken entirely at the resident's own risk.
- 7.5 The charging of mobility scooters in any internal communal area-including, but not limited to, corridors, stairwells, or spaces beneath staircases of the building - is strictly prohibited.

- 7.6 The charging of mobility scooters in any external communal area is not permitted under any circumstances. Residents must not run extension leads or power cables through doorways, windows, or any other access points for the purpose of charging a mobility scooter stored outside of landlord-owned land.

8 Complaints

- 8.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback. Therefore if people wish to complement our staff for doing a great job, we would love to hear from them.

- 8.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

- 8.3 When tenants contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

- 8.4 The Housing Ombudsman Service advise that a complaint must be defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.

- 8.5 Where a tenant considers that the council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.
- 8.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 if they are still not satisfied, the tenant may refer to the Housing Ombudsman Service.

- 8.7 MDH's complaints procedure is detailed on Mid Devon District Council's website: [Feedback and Complaints](#)

9 Equality Impact Assessments

- 9.1 MDH completes an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

10 Summary of Additions and Policy Amendments

The following Policy amendments have been made:

Date	Amendment Made	Amendment Authorised by