



Bristol City Council – Housing & Landlord Services

Appendix Ai - Mobility Scooter Policy

Version 1.5

Approved by	Housing and Landlord Services, Senior Leadership Team
Author	Dave Clarke, Policy and Practice Officer
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History of most recent policy changes			
Date	Page	Change	Origin of change (e.g. legislation)
09/10/2023		Update to whole policy	
27/02/2013		Whole Policy	

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Policy Statement

This revised policy outlines Bristol City Council’s (BCC) Housing and Landlord Services (HLS) approach to the safe storage of mobility scooters in BCC’s residential blocks of flats.

Policy Aims

The main aims of this policy are to:

- Provide advice and guidance to all tenants, leaseholders and any members of their household, who wish to use and store a mobility scooter in their home, mobility scooter store or in an appropriate external area.
- Highlight the need to obtain permission from the Council before purchasing/leasing a mobility scooter and promote responsible ownership.
- Ensure a fair and consistent approach to mobility scooter owners when scooters are found to be stored or charged in a communal area.
- Ensure the Council meets its statutory obligations in relation to the Regulatory Reform (Fire Safety) Order 2005 (FSO) and any other legislation which supports health and safety within blocks of flats, whilst still enabling where possible, the use of mobility scooters to promote independence.
- Promote the principle of safe escape routes by encouraging and assisting existing mobility scooter users to make safe alternative arrangements for storage and charging.

- Encourage prospective tenants who are or want to be mobility scooter users to make appropriate housing choices that allow for safe storage and charging.

Roles, Responsibilities and Authority

BCC Housing and Landlord Services Senior Management Team

- Responsible for approving this policy and ensuring its overall implementation.

Head of Housing Management and Estates

Responsible for:

Tenancy Management, Caretaking Services, Supported Housing for Older People (SHOP) Services

- So far as is reasonably practicable, ensuring that tenants at BCC premises keep communal corridors, stairs, doors, emergency exits, and any other means of escape, free from obstructions, or hazardous or combustible materials.
- Where such obstructions or hazardous materials are clearly attributable to a particular tenant, ensuring that the Safe Escape Routes policy is followed to remove them.
- Where the ownership of obstructions/hazards cannot be attributed to a particular tenant, ensuring that any such obstructions/hazards are removed from premises with a caretaking service, by caretakers or other suitable contractor.

Scope

This policy applies to all tenants, leaseholders and any members of their household, who wish to store a mobility scooter in their property, mobility scooter store or in an appropriate external area.

Separate guidance for residents has been produced on the safe storage and charging of electric bikes and electric scooters, based on information available from Avon Fire and Rescue and the National Fire Chiefs Council (NFCC).

The Policy

Context

BCC recognises that the safe use of mobility scooters helps our tenants and leaseholders maintain their independence and can contribute towards their quality of life. However, BCC also has a duty to ensure that high standards of health and safety are maintained for anyone living, working or visiting our properties and needs to ensure that mobility scooters do not pose a safety risk.

What sort of vehicles are covered by this policy?

The mobility scooters covered by this policy are any Class 2 or Class 3¹ Invalid Carriages as defined by the [‘Use of Invalid Carriages on Highways Regulations’](#), 1988.

Health and safety issues

When left in or on charge and unattended in communal areas such as hallways and stairwells, mobility scooters pose not only a fire risk but can also block emergency escape routes in blocks of flats.

Routes to emergency fire exits must be always kept clear and free of obstructions. Corridors and stairways that form part of escape routes should also always be kept clear and hazard free. Items that may be a source of fuel or pose a fire risk should not normally be located on any corridor or stairway that will be used as an escape route. This is raised in audits carried out by Avon Fire and Rescue Services.

Tenant and leaseholder responsibilities

BCC’s current [tenancy agreement](#) (section 2.17) makes clear that communal areas are to be kept clear of potential obstructions. Not complying with these requirements can be considered a breach of tenancy conditions. BCC [leaseholders](#) are also instructed that they ‘must not leave a mobility scooter in communal areas such as landings, foyers, stairwells, walkways and community rooms’.

Permission to keep a mobility scooter

Any tenant or leaseholder considering buying or leasing a mobility scooter **must first seek permission from the BCC Housing and Landlord Services**. We will always take someone’s individual circumstances into account and will consider each request on a case-by-case basis. Tenants/leaseholders **must** consider whether there is suitable external storage available at their property or whether the scooter is of a suitable size to be accommodated safely within their property **before** proceeding to buy or lease a mobility scooter. Whilst permission will not be unreasonably withheld, BCC’s overall responsibility for the health and safety of all residents within a block of accommodation must take priority.

There may be occasions where BCC withholds or withdraws its permission to keep a mobility scooter. BCC will act in accordance with the Public Sector Equality Duty (PSED) and take all individual circumstances into account when considering whether it is reasonable and proportionate to withdraw permission, however, it is found that tenants/leaseholders are not complying with this policy or if there is a change in health and safety requirements for the building, BCC reserves the right to withdraw permission to keep a mobility scooter.

Safe use and insurance

Mobility scooters must be ridden safely and responsibly within the building/block, with due care and consideration for other residents. Mobility scooter owners should be aware that they may be liable to pay compensation or third-party claims if their mobility scooter causes an accident or personal injury to a third party or causes damage to BCC’s property or buildings.

¹ Class 1 refers to self-propelled wheelchairs. These are not battery powered and are largely excluded from consideration in this policy. However, they could still pose an obstruction or trip hazard and are **not permitted** to be stored or left unattended in communal areas.

It is therefore strongly recommended that residents who own or lease a mobility scooter have appropriate insurance in place. This should include liability insurance in the event of either damage to the building or injury involving anyone living in or visiting the block. Damage to BCC property caused by a mobility scooter will be recovered through the owner's insurance company. If the owner does not have insurance, they may be held personally liable for such costs.

Charging of mobility scooters

If no specific provision for mobility scooter storage is available within the communal areas of the block, mobility scooters must be charged inside the tenant or resident's home. **Charging of mobility scooters should always be undertaken in accordance with the manufacturer's instructions. They should only be charged for the manufacturer's recommended time and should never be left on charge unsupervised or overnight.**

Mobility scooter storage

BCC as landlord has no legal duty to provide storage facilities for any personal possessions outside of the tenants own flat. However, there is mobility scooter storage at some of our [supported housing schemes](#). Health and safety requirements and financial considerations may often limit what we are able to allow or provide for storage and/or mobility scooter battery charging.

Mobility scooters, chargers, and any other related items are used and stored at the owner's own risk. Tenants and leaseholders who own/lease, or are planning to own/lease, a mobility scooter should ensure they have adequate insurance cover.

Mobility scooters must not be parked or charged in any of the communal areas unless an area has been specifically set aside for this purpose. It is a breach of Fire Safety Regulations to do so and any fine imposed on the Council by the enforcing authority for doing so may be recharged to the owner.

Scooters must be stored and charged within an agreed designated area or within individual flats. Failure to comply will result in a breach of the tenancy conditions and may result in enforcement action being taken.

Options for existing mobility scooter users

BCC Housing and Landlord Services will work with affected residents on a case-by-case basis to try and enable their continued use of a mobility scooter. We will explore potential alternative storage solutions with residents, as informed by the [National Fire Chiefs Council Mobility Scooter Guidance 2018](#), but will also take potential costs and practicality into account.

BCC Housing and Landlord Services reserve the right to remove any items which are not permitted to be kept or charged within a communal area, particularly in high rise (high risk) blocks of flats. However, we will always make every reasonable attempt to reach a suitable solution with affected tenants before considering enforcement action.

Advertising properties

BCC Housing and Landlord Services will ensure that prospective tenants are told about any restrictions on mobility scooter storage and charging before we let a property.

Equalities considerations

This policy will likely impact on some older people or people with disabilities if they cannot store their scooter within their flat or do not have access to alternative external storage. All requests to own or continue to use a mobility scooter in BCC owned multi-occupied residential buildings will be considered on an individual basis and the tenant/leaseholder will be supported as much as possible. Nevertheless, the requirements of an individual affected by this policy need to be balanced with consideration of the health and safety of all residents living at the accommodation. An equalities impact assessment (EqIA) has been undertaken for this revised mobility scooter policy which considers the equalities implications in more detail.

Appendix 1: Legal context

BCC has a legal duty to manage the communal areas of its blocks of flats to ensure that routes to emergency exits are always kept clear, as set out in the Regulatory Reform (Fire Safety) Order 2005, as amended (often referred to as the FSO) and the Housing, Health and Safety Rating System (HHSRS) introduced by the Housing Act 2004.

When mobility scooters are stored and charged in communal areas, this places an unacceptable risk to occupiers, visitors, staff and contractors. Mobility scooters present a potential source of ignition and increased fire loading and **therefore their storage and charging in common areas is not permitted.**

As a landlord, BCC is responsible for managing these communal areas and we are legally obliged to ensure that any inspections and risk assessments comply with the HHSRS and the Fire Safety Order. Avon Fire & Rescue Service also has the power to take enforcement action against a landlord who allows their premises to breach the FSO.

Below is not an exhaustive list, but this Mobility Scooter policy also has had due regard to the following policies and legislation:

External

- Building Safety Act, 2022
- Equality Act, 2010
- Fire Safety Act, 2021 and Fire Safety (England) Regulations 2022
- Health and Safety at Work Act, 1974
- Management of Health and Safety at Work Regulations, 1999
- The Care Act, 2014
- Torts (Interference with Goods) Act, 1977

- Use of Invalid Carriages on Highway Regulations, 1988

Internal

- Accessible Homes Policy and Process
- Fire Safety Policy
- Making Best Use of Stock Policy
- Safe Escape Routes Policy

In addition to our legal duties, there is also additional guidance available to local authorities, such as the [National Fire Chiefs Council Mobility Scooter Guidance 2018](#).

Safe storage and charging of Personal Electric Vehicles – Guidance for Residents (Draft Text)

The charging and/or storage of e-bikes, e-scooters, mobility scooters or any other type of powered vehicle is not permitted in any corridor/communal area in blocks of flats owned by Bristol City Council (BCC) due to the fire risk they pose. They must be kept and charged within your home or in a designated storage area set aside for that purpose (if available). BCC staff will ask you to remove any powered vehicle found in communal areas and will ultimately remove the item(s) themselves if the issue persists. Residents that own or use a personal electric vehicle should ensure they have appropriate insurance in place and should use, store and charge their vehicles safely:

- Do not store or charge e-bikes/e-scooters/mobility scooters or any other type of powered vehicle on escape routes, in communal areas or near doors/entryways to your home. If there's a fire, vital escape routes will be blocked.
- Follow the manufacturer's instructions when charging. Do not overcharge your battery.
- Ensure that smoke/heat alarms within your home are working and are regularly tested.
- Do not leave batteries to charge while you are asleep or away from home.
- If you do need to charge a battery overnight, charge in an area where smoke/heat detectors are installed and make sure ALL internal doors are closed to protect you from the risk of fire.
- Do not overload socket outlets or use inappropriate extension leads.
- Always use the manufacturer approved charger for the product. Do not put yourself and others at risk by buying a fake charger or battery to save a few pounds.
- Keep your e-bike/e-scooter/mobility scooter away from anything that could catch fire, such as bedding and sofas. Never leave your battery to charge on surfaces that could catch fire.
- Store e-bikes/e-scooters/mobility scooters and their batteries in a cool place. Avoid storing them in excessively hot or cold areas.
- Damaged batteries can overheat and catch fire without warning. Check your battery regularly for any signs of damage and if you suspect it is damaged, replace it. Do not attempt to charge it or use it.
- Do not dispose of damaged batteries in your household waste. They can cause fires in bin lorries. Check to see if your e-bike/e-scooter manufacturer offers a recycling service. Bristol Waste advises placing batteries in a clear plastic bag and putting them in (or alongside) the black recycling box. Alternatively, batteries can be taken to one of Bristol's Reuse and Recycling centres.
- In the event of an e-bike/e-scooter/mobility scooter or any other lithium-ion battery related fire – do not attempt to extinguish the fire. **Get out, stay out, call 999.**