

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

17 FEBRUARY 2016
ALL WARDS

SAFETY OF HOVERBOARDS

1. **Summary**

- 1.1 This report outlines actions taken by Birmingham Trading Standards following concerns raised nationally about the safety of hoverboards (also known as 'balance boards' or 'smart boards').
- 1.2 In recent months they have become a hugely popular amongst young people, but they have been linked to serious safety issues. Most are being imported: mainly from China. In Birmingham we have been working with Trading Standards colleagues at ports to identify products destined for Birmingham.
- 1.3 We are examining consignments as they arrive in the city and have suspended from sale nearly 2,000 boards from 9 different importers where they are known to be unsafe or where there is inadequate documentation attached to them to prove that they are safe.

2. **Recommendation**

- 2.1 That the report be noted.

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3. Background

- 3.1 The Hoverboard is a self-balancing scooter powered by electricity. The driver controls the speed and direction by applying pressure to the two foot pedals. In the last year they have become increasingly popular and were very much in demand for the 2015 Christmas market.
- 3.2 They are available worldwide, being sold by well-known retail chains, small independent outlets and numerous online sellers. They have been retailing from £250-£450 each. The vast majority are manufactured in China. However, over the course of 2015, following several reported incidents of hoverboards catching fire, concerns were raised as to their safety.

4. Safety Provisions

- 4.1 The Consumer Protection Act 1987 and the General Product Safety Regulations are the principal pieces of legislation covering consumer product safety. There are also numerous Regulations, such as the Electrical Equipment (Safety) Regulations 1994, the Plugs and Sockets Regulations and the Toys (Safety) Regulations 2011. These are all enforced by Trading Standards.
- 4.2 Initially, some of the plugs, chargers and connecting cords were found to fail to meet relevant safety standards. This included issues such as insufficient insulation, the disposition of the pins on the plug and incorrect or no fuses.
- 4.3 A further and perhaps more serious issue identified later with some of the boards was that the battery and cut off switch within the board itself continued charging even when the battery was fully charged, causing overheating, which had in some instances resulted in fire.
- 4.4 Importers into the European Community have to provide documentation, such as technical files, declaration of conformity and test reports to demonstrate compliance with safety provisions. However, some of the documentation produced from the Far East has been questionable and showed little traceability to the product.

5. Port Authorities

- 5.1 The Port Authorities are usually the first point of contact for imported goods. The Safety at Ports and Border Teams such as at Suffolk, covering Felixstowe, proactively look out for potentially unsafe goods entering the UK.
- 5.2 Initially the Port Authorities were detaining consignments where they suspected that the goods were unsafe and sending samples for testing. The Chartered Trading Standards Institute reported on 3 December 2015 that out of 17,000 hoverboards examined at national entry points, 15,000 were initially

assessed as unsafe. Local Trading Standards Authorities were notified when goods were destined for importers in their area.

- 5.3 However, late 2015, the Port Authorities were so overwhelmed with the number of consignments that they were forced to release hoverboards without any checks and to notify the local Trading Standards service into whose area they were being sent for them to take appropriate action.

6. Work of Birmingham Trading Standards

- 6.1 Birmingham Trading Standards approach has been focussed on intelligence received from partners and agencies such as the Port Authorities and also other Trading Standards. We have been notified of a number of consignments imported into the UK and destined for Birmingham. The consignments have ranged from 20 to 500 hoverboards.
- 6.2 Many of the consignments have been destined for previously unknown businesses and some have been destined for residential premises. The latter are likely to be persons selling hoverboards online via Ebay and on Gumtree.
- 6.3 It is evident many of the people importing these are not regular importers and are in some cases unfamiliar with safety provision or their obligations as importers into the European Community (EC).

7. Interventions

- 7.1 Trading Standards have been notified of potentially 12 to 15 different importers. As a consequence officers have made contact with these importers and asked them to demonstrate that their hoverboards comply with all relevant safety provisions. Where Officers are not satisfied that hoverboards are safe, they have powers to seize or suspend the goods, preventing supply to the public. Thus far, 1,766 hoverboards out of 1,966 identified (89%) have been suspended in relation to 9 different importers.
- 7.2 In these cases the importer has been asked to produce the requisite documentation and also advised to have a sample tested in UK test houses. In some cases Birmingham Trading Standards have also sent samples for testing. Officers are also dealing with a number of other enquires relating to online sales from persons possibly trading from residential premises.
- 7.3 In due course when documentation has been examined and results of further tests have been received, a decision will be made as to whether the hoverboards:
- are compliant or can be brought into compliance;
 - need to be voluntarily removed from supply and/or destroyed;
 - can be forfeited and destroyed through application to the courts; or
 - can be returned to a country outside the EC.

- 7.4 Each case will be looked at on its individual merits and decisions will be taken as to whether criminal proceedings are appropriate in each case.

8. Awareness

- 8.1 A number of articles have appeared in the national media reporting unsafe hoverboards. In December the Chartered Trading Standards Institute issued a press release (Appendix 1) which was widely reported. It expressed concern at the safety of hoverboards and reported on the work of the Port Authorities. It advised consumers to take particular care, buy from reputable suppliers, and check the plugs, labelling and instructions. Consumers were also advised never to leave hoverboards charging unattended - especially overnight.
- 8.2 A further press release was issued on 21 December 2015 by the Local Government Association similarly reporting on concerns about safety of hoverboards (Appendix 2). It also reported that by late December the number of hoverboards intercepted and found to be unsafe had increased to 32,000 out of 38,000, or 84%.
- 8.3 A number of well-known established reputable retailers such as Argos and John Lewis have reported to have now withdrawn certain brands of hoverboards from sale, due to safety concerns. Argos, for example, advised consumers to stop using its Nevaboard model and return it to them for a refund. Amazon have also now withdrawn sale of hoverboards from its platform. A well-known retailer chain based in Birmingham has voluntarily agreed to withdraw a particular range of hoverboards after discussion with your Trading Standards Officers.

9. Implications for Resources

- 9.1 The work in relation to hoverboards has been carried out with existing resources within budget.

10. Implications for Policy Priorities

- 10.1 This work contributes to the City Council Business Plan priorities of a Fair City and protecting the safety of its citizens.

11. Implications for Equality and Diversity

- 11.1 No specific implications have been identified.

ACTING DIRECTOR REGULATION AND ENFORCEMENT



NEWS ITEM

Thousands of unsafe 'Hoverboards' detained over past seven weeks

More than 17,000 self-balancing scooters – or ‘Hoverboards’– have been examined at national entry points since 15 October due to safety concerns*. Of these, over 15,000 (or 88%) have been assessed as unsafe and have been detained at the border.

Officers at UK ports and borders have seen a huge spike in the number of these items arriving in recent weeks, destined to end up as gifts under the tree this Christmas.

Officers from National Trading Standards Safety at Ports & Borders Teams and trading standards services in Scotland have detained the boards – a ‘must-have’ on Christmas lists this year – due to a range of concerns, such as safety issues with the plug, cabling, charger, battery or the cut-off switch within the board, which often fails. Many of the items detained and sent for testing have been found to have noncompliant plugs without fuses, which increases the risk of the device overheating, exploding or catching fire.

Products that have been tested have failed with significant safety issues and over 15,000 products detained have identical or very similar features to those already deemed as unsafe. With such large numbers being sent for testing since October many testing houses are full to capacity and additional staff training is underway to help meet the demand.

In recent months these faults have caused extensive damage to people’s property and National Trading Standards – in conjunction with the Department for Business, Innovation and Skills and the Chartered Trading Standards Institute – is urging consumers to be vigilant this Christmas and avoid putting households at risk with unsafe products.

- Latest figures from National Trading Standards and trading standards services in Scotland reveal more than 15,000 self-balancing scooters detained at UK points of entry
- Major safety risks identified include issues with the plug, cabling, charger, battery or cut-off switch

Lord Toby Harris, Chair, National Trading Standards, said: “Our teams at sea ports, postal hubs and airports have seen a significant spike in the number of unsafe ‘Hoverboards’ arriving at national entry points in recent weeks and are working around-the-clock to prevent dangerous items from entering the supply chain. Protecting consumers from harm is our top priority and our Safety at Ports and Borders teams are preventing thousands of these unsafe items from being released onto the market every day. “We suspect that most of these products are being imported for onward sale domestically as Christmas approaches – we urge consumers to be on their guard when purchasing these products

and advise you read our product safety checklist to help ensure you are not purchasing a dangerous item.

"If you do suspect any sellers, websites or products of being unsafe we urge you to report them to the Citizens Advice consumer helpline on 03454 04 05 06."

Nick Boles, Consumer Minister, said: "At this time of year, consumers are under pressure to get the best presents for their loved ones, however it is important that their safety is put above all else. Shoppers should think twice before choosing products from a site that does not appear genuine, and the checklist that National Trading Standards has produced is extremely useful. I urge anyone who suspects a Hoverboard not to be genuine to report it to the Citizens Advice consumer helpline."

Leon Livermore, chief executive, Chartered Trading Standards Institute (CTSI), said: "Criminals and irresponsible manufacturers will often exploit high demand and attempt to flood the market with cheap and dangerous products.

"Consumers should not let a new fashion or craze cloud their judgement and remain vigilant at all times, to avoid taking home an unsafe product.

"Some products that are made abroad, principally for the overseas market, are not fitted with the correct plug and fuse for use in the UK.

"As a minimum consumers should check that the three pin plug on the device states it is made to BS 1363. If it doesn't include this information, then don't buy the product.

"Trading standards services take product safety extremely seriously but retailers must share this responsibility, to stop substandard products entering the marketplace."

Whether you already own one of these products or are purchasing for a loved one this Christmas, National Trading Standards has compiled the following top tips for consumers thinking of purchasing self-balancing scooters:

Never leave the device charging unattended – especially overnight: a faulty cut-off switch (designed to stop the battery from continuing to charge once fully charged) or a plug without a fuse, as seen in many products detained so far, could lead to the device overheating, exploding or catching fire.

Check the device: things to look out for include the shape of the plug – the first unsafe products identified often had a clover-shaped plug. Also check the device for markings or traceable information, such as the name and contact details of the manufacturer and / or importer.

If buying online, look closely at the website before you hit the 'buy' button:

- Try searching for reviews of the product or the seller – do these seem genuine?
- Are there lots of spelling or grammar mistakes on the site? This can be a clue that a business is not professionally run.
- See if you can find out where the company's head office is based – and whether that fits with how the website presents itself.
- Do they have a landline number you can call if there are any problems? Bear in mind that if the company is based abroad, it can be more difficult to get a complaint dealt with or return a faulty product.
- Read the small print – notice if anything seems odd, repetitive or in incorrect English.
- Is there an 's' at the end of the 'http' part of the web address, or is there a padlock symbol in the task bar? This means the website is using an encrypted system that keeps your details more secure.

Don't be dazzled by a bargain: Are the prices incredibly low? If they look too good to be true, They probably are – particularly if some of your other checks have put doubts in your mind.

Be aware that criminals exploit high demand: When items like self-balancing scooters start to sell out at well-known retailers, the void is quickly filled by crooks churning out poor quality imitations that can

put people in danger. Don't 'panic buy' from the first website you find – do your usual common-sense checks.

Report it: National Trading Standards needs your help to clamp down on unsafe products from abroad. If you believe that any online or face-to-face seller is selling potentially dangerous goods, or something you've bought has made you suspicious, report it to Citizens Advice consumer service on 03454 04 05 06.

Buying online for onward sale online? If you do this you are assuming the legal responsibilities of a business to ensure that what you're selling complies with product safety and intellectual property legislation. For information about this visit <https://www.gov.uk/starting-to-import>.



Dangerous Hoverboards could lead to a Christmas tragedy, fire authorities warn

Fire authorities are warning people to think twice about buying Hoverboards for Christmas after major retailers pulled them from sale following several fires.

Dangerous faulty versions of the popular gadget have flooded the market, with some exploding into flames. Several high street chains and online retailers have urged customers who have bought the gadgets to throw them away and seek a refund.

The Local Government Association (LGA), which represents all 46 fire authorities in England and Wales, is warning that more than 80 per cent of Hoverboards tested by Trading Standards since October have been deemed unsafe, with more than 38,000 of them being stopped from entering the UK. Many of the items sent for testing were found to be at increased risk of exploding or bursting into flames.

Cheap, fake imports of the popular toy - also called balance boards - have hit the headlines after their dangerous chargers and unsafe batteries sparked several fires.

A blaze in Kent caused £25,000 worth of damage to a homeowner's kitchen after a Hoverboard overheated while charging, while in London a man was forced to escape a similar blaze by escaping through a first floor window.

In the latest scare, an electric unicycle – similar to a Hoverboard – has ruined Christmas for a family in Warwickshire after overheating while charging, setting fire to furniture and carpets.

Hoverboards usually retail for between £300 and £600 but dangerous replicas are selling for hundreds of pounds cheaper - mainly online - to capitalise on the Christmas rush for the popular gadget.

The LGA is advising people to look out for fake and suspiciously cheap Hoverboards – often with unsafe plugs - to avoid a festive fatality, and to consider buying alternative presents.

Cllr Jeremy Hilton, Chair of the LGA's Fire Services Management Committee, said: "Hoverboards are top of Christmas wishlists for many people this year, but these exploding gadgets can cause major fires which puts lives at risk.

"Trading Standards teams at councils nationwide have been working hard to stop dangerous Hoverboards entering the country, but people are able to buy them online from unofficial websites.

"With major retailers pulling them from sale, we are urging people to think twice about buying a Hoverboard because of the significant fire risk associated with them. Anyone who has bought one should check the plugs conform to British safety standards and should never leave the boards charging unattended or overnight when asleep. Don't be tempted by the price of a Hoverboard that seems too good to be true – it could cost you your life. People can have a safer Christmas by choosing not to buy one at all."

National Trading Standards has revealed that 32,000 of the 38,000 - or 84 per cent - of Hoverboards it has examined since October have been seized, mostly for illegal electrical components that could explode or catch fire.

Trading standards officers seized a haul of dodgy balance boards at East Midlands Airport and Birmingham Airport, while a further 50 Hover boards were stopped from entering the country at an HMRC-controlled warehouse in Essex.

One major online retailer has told customers who have bought a Hoverboard with non-compliant plugs to throw them away, while other retailers have stopped selling the gadgets.

Hoverboards are like an electric skateboard comprised of two wheels, which users lean backwards and forwards on to control.

Other motorised self-balancing 'rideables' include electric unicycles, Segways and powered mini-scooters/go-peds.

All these rideables are illegal to ride on public roads and pavements – they can only be used on private land with the landowner's permission.

Anyone who believes they may have bought an unsafe Hoverboard should call Citizens Advice on 03454 04 05 06.

Advice on buying a Hoverboard:

- Never leave the device charging unattended – especially overnight. A faulty cut-off switch (designed to stop the battery from continuing to charge once fully charged) or a plug without a fuse, as seen in many products detained by Trading Standards, could lead to the device overheating, exploding or catching fire.
- Check ***that the three pin plug on the device states it is made to BS 1363. If it doesn't include this information, don't buy the product.***
- Check the device for markings or traceable information, such as the name and contact details of the manufacturer and/or importer.

- If buying online, check the website first. Spelling or grammar mistakes on the site may indicate the business is not professionally run.
- Don't be tempted by a very low price
- Report suspicious Hoverboards to Citizens Advice consumer service on 03454 04 05 06.

Fire authorities are warning people to think twice about buying Hoverboards for Christmas after major retailers pulled them from sale following several fires.

- On December 7 an electric unicycle – similar to a Hoverboard – set fire to furniture and carpets at a home in Bulkington, Warwickshire, after overheating while being charged.
- In November in Deal, Kent, a Hoverboard caught fire while charging, causing £25,000 worth of damage to a man's kitchen.
- In October The London Fire Brigade were called to two fires in two weeks involving 'rideables'. The first was at a house in Morden where two men escaped via a first floor window after a charging Hoverboard caught fire, while the second was at a flat in Southwark caused by an electric unicycle which was on charge
- Hover boards with dangerous charging adapters and unsafe batteries were among a £300,000 haul of unsafe goods confiscated by Leicestershire County Council trading standards officers at East Midlands Airport.
- In November Solihull Council Trading Standards intercepted a large batch of unsafe balance boards imported from China into Birmingham Airport.
- Also in November, Thurrock Council seized 50 Hover boards entering the country at an HMRC-controlled warehouse in Thurrock, Essex.