

Policy on the use of Golf Buggies (Transportation Policy)

1. Aim of the Policy

- 1.1. This Policy is the Transportation Policy referred to in the General Terms and Conditions for use of Hartswood Golf Course. The purpose of the document is to establish the safe operation of all ride-on buggies operated on the golf course.
- 1.2. Brentwood Borough Council has a duty under Section 6 of the Equality Act 2010 to ensure that all reasonable adjustments, which may include the use of a golf buggy, are made to allow those with a disability to play golf at Hartswood Golf Course.

2. Equality Act 2010

2.1 The Council will ensure equality of access, and to the best of its ability, make adjustments to:

- (a) Ensure that the Golf Course and other golfing facilities are risk assessed and actioned, particularly for those with mobility, auditory and visual disabilities and for the safe operation of golf buggies.
- (b) Provide a golf buggy, for hire, by those in need of mobility aids, when given notice in advance, and the course conditions permit their safe use.
- (c) Permit the use of 'owner' mobility aids provided they are maintained in a safe condition and the course conditions permit their safe use. Owners will have to provide evidence of adequate personal and third party insurance to cover injury and damage whilst their mobility aid is on Council premises.
- (d) Ensure that the conditions of entry to Club competitions and golfing events that are not dependant on age or a level of golfing skill, are written to enable access to those with '*Protective Characteristics*'
- (e) Permit competitions and events limited to specific age or gender groups where it is necessary to ensure safe and equal competition.
- (f) Take positive action in providing opportunities to increase the inclusion of people from underrepresented groups.

3. Definitions

- 3.1. "Disability" shall have the same meaning as section 6 of the Equality Act 2010. A person has a disability if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities.
- 3.2. Any reference to 'golf buggy' shall include any vehicle deemed to be a golf buggy by Brentwood Borough Council.
- 3.3. Any reference to the 'Council' shall refer to Brentwood Borough Council which has the responsibility for taking the decision on the use of a golf buggy and an 'Officer of the Council' shall be construed accordingly.
- 3.4. 'Valid medical confirmation of disability' shall mean a valid medical certificate from a registered general practitioner or consultant registered with the Health Professions Council

that the player or caddie is suffering from a disability, as defined in Section 6 of the Equality Act 2010.

4. Persons who may use a golf buggy

- 4.1. It shall be a condition that players must always walk during a stipulated round, unless permitted to use a golf buggy by an Officer of the Council, in accordance with this policy.
- 4.2. A golf buggy may be used by a player who can provide a valid current medical certificate of disability (as defined in 2.4 above) in accordance with this policy and has requested permission to use a golf buggy 7 days prior to their visit.
- 4.3. The Council may not without good reasons refuse a request for permission to use a golf buggy if the criteria in paragraph 3.2, above, are met.
- 4.4. Any person who operates a golf buggy on the golf course is deemed by so doing to have the knowledge, training and skill to safely operate this vehicle and be fully accountable for their actions and the consequences thereof.
- 4.5. The safe operation of golf buggies on the course requires adherence to the minimum standard of care in this policy.
- 4.6. Golf buggies must be operated in accordance with the requirements of the following documents:
 - a) Golf Buggy Safety Policy
 - b) Golf Buggy Safe Working Practice
 - c) Golf Buggy Safety Acknowledgement Form
- 4.7. In cases where an Officer of the Council refuses to permit the use of a golf buggy then they shall inform the player of their decision, the reasons for it, and the opportunity to appeal this decision in accordance with this Policy to Brentwood Borough Council.

5. Conditions in which use of a golf buggy may be permitted

- 5.1. Where a determination is made that the use of a buggy may be permitted by a player, an Officer of the Council shall have regard to the following additional health and safety considerations before granting approval:
 - a) Any relevant weather conditions;
 - b) The topography and ground conditions;
 - c) The condition of and suitability of the golf buggy; and
 - d) Any other relevant considerations which could impede the safe use of a golf buggy or impact on the safety of others.
- 5.2. In the event that an Officer of the Council believes that for reasons of health and safety a golf buggy should not be used by players at a particular time he/they may:
 - a) Refuse to grant permission for the use of a golf buggy, and shall inform the player of this decision and the reason why ; or

- b) Revoke any such permission in the event of new health and safety considerations having come to light since the granting of the initial permission to use a golf buggy.
- 5.3. It will be in any event a requirement of any player granted permission to use a buggy to complete and sign the Golf Buggy Users Acknowledgement and Acceptance Form.

6. Conditions for use of golf buggies

- 6.1. A player permitted to use a golf buggy, must agree to the following terms and conditions of use:
- a) Any person operating a golf buggy must do with the utmost courtesy, care and consideration for the safety and convenience of others and in accordance with any relevant golf buggy operating guidelines;
 - b) The Council may require that a golf buggy must not exceed walking pace and/or must not have a covered roof;
 - c) A golf buggy shall be for the sole use of the player and his/her equipment (or any caddie or other third party who has been permitted to drive the golf buggy) unless an Officer of the Council has deemed that for reason of age or disability a third party is required to drive the golf buggy;
 - d) A golf buggy must not impede or interfere with normal pedestrians or vehicular traffic flow on roadways, ramps and pavements;
 - e) A player who has been granted permission to use a golf buggy (or any caddie or other third party who has been permitted to drive the golf buggy) must remain seated in the golf buggy at all times while the vehicle is in motion;
 - f) Drivers of golf buggies must comply with directional signs and are not used on prohibited areas including **public highways**, pavements and areas of ground under repair;
- 6.2. A player who has been granted permission to use a golf buggy (or any caddie or other third party who has been permitted to drive the golf buggy) must accept responsibility for any losses or injury sustained because of his or her fault whilst using a golf buggy; and
- a) A player who has been granted permission to use a golf buggy (or any caddie or other third person who has been permitted to drive the golf buggy) must have adequate personal and third-party insurance and must provide a copy of the certificate of insurance to Brentwood Borough Council prior to use.
- 6.3. Failure to agree to the terms and conditions contained in clause 5.1 by signing a Transportation Policy Consent Form may result in the player, caddie or other third party being denied permission to use a golf buggy.

7. Appeals procedure

- 7.1. Any decision by an Officer of the Council refusing a player or caddie permission to use a golf buggy may be appealed by the player or caddie to Brentwood Borough Council.
- 7.2. Any appeal shall be made in writing to Brentwood Borough Council within 5 working days of the date of the initial decision. Any written request shall also include a statement by the player or caddie of the reasons why he/she is seeking to appeal the decision.
- 7.3. Brentwood Borough Council shall make a decision on an appeal and communicate it to the player or caddie within 10 working days of the initial appeal.

Appendix 1

Golf Buggy Safety Policy

The Council has a duty of care to all users of the golf course. The topography of certain areas of the course is such that caution and prudence must be shown by the user of the ride-on buggy. It is also necessary for the Club to provide adequate safe means of access for all golfers including those given permission to use buggies. Moreover the Council has to ensure the safety of golfers who are not using ride-on buggies but who might be at risk from a mechanically defective ride-on buggy or its careless use.

1. To assist in the safe employment of ride-on buggies all users shall comply with the following conditions:
2. Ride-on buggies are to be used with a disability as defined in Section 6 of the Equality Act 2010, and provides the relevant medical information as stipulated in (3.2)
3. Ride-on buggies must be operated with the utmost courtesy, care and consideration for the safety and convenience of all course users.
4. Ride-on buggies must be operated and parked in such a manner that they do not impede or interfere with normal pedestrian or vehicular flow on roadways, ramps, or pavements.
5. Ride-on Buggy operators will be responsible for the security of ignition keys for the period that the buggy is on the property owned by the Council.
6. Brentwood Borough Council has no responsibility for ensuring the safe operation of ride-on buggies on or beyond the confines of the course and the car park other than those operated by their officers or agents. The Council will not accept responsibility for any loss or damage caused to any property other than that arising from the negligent use of a ride-on buggy by their servants or agents.
7. No ride-on buggy will be operated at more than 15km per hour. All speed limits must be observed.
8. Ride-on buggies shall be used only between dawn and dusk.
9. Ride-on buggies can only be used on holes 1 and 2 the 12 -18 which is the King George's Park side of **The Avenue. (Public Highway)** Crossing **The Avenue (Public Highway)** is not permitted in a golf buggy. Players can play 18 holes by repeating the above holes, subject to teeing of availability and prior agreement with the Golf Shop.
10. The consumption of alcohol and/or the improper use of drugs is not permitted when using the ride-on buggy.
11. The Greens staff or any Brentwood Borough Council Officer has the authority to immediately prohibit any individual from using a ride-on buggy. Application for reinstatement of permission can only be made to Brentwood Borough Council.

Appendix 2

Golf Buggy Safe Working Practice

- Ride-on buggy operators must not be under the influence of alcohol or drugs.
- Never allow children to drive the ride-on buggy unsupervised by an adult.

Before Use

- All operators of ride-on buggies must sign a Safety Policy Acknowledgment form before they are allowed to drive the buggy.
- A ride-on buggy shall only be used for the number of occupants it was designed to carry and only by people who are authorised to use one.

During Use

- Do not move off until seated.
- Always remain seated and hold on while the vehicle is in motion.
- Hands, feet and head must be kept inside the buggy at all times while the vehicle is in motion.
- Ride on buggies must be driven on the available paths where possible
- Ride on buggies must not be driven in prohibited areas.
- The vehicles must be used to progress the game and must not be driven up and down excessively, e.g. when looking for golf balls.
- The vehicle must not be used on tees, greens or their surrounds or areas of ground under repair.
- The vehicle must not be used within 2 metres of any bunkers, ditches or ponds or slopes leading to them except when using the designated bridges.
- Check the area behind before reversing.
- Set the parking brake before leaving the vehicle
- Always consider the terrain, existing vehicular and pedestrian traffic conditions as well as environmental factors that may affect your ability to operate the vehicle safely.
 - Drive the vehicle only as fast the terrain and safety considerations allow and not to exceed 15km per hour.
 - To avoid tipping over, drive the buggy straight up and down severe slopes.
 - Slow down before corners
 - All turns must be executed at reduced speeds.
 - Avoid sudden stops and changes of direction that may result in loss of control.
 - Be extra careful when the course is wet and muddy.

After Use

When the vehicle is left unattended, turn the operating key to the off position, remove the key and engage the parking brake.

Appendix 3

Buggy Route Guidelines

1. Prior to play, each approved applicant must ensure that they are completely aware of existing potential troubled areas and any new places by speaking with the Green keeping staff if available.
2. In general it is expected that anyone who has been allowed to use a ride-on buggy at Hartswood Golf Course will operate it in a totally and sensibly common sense way, fully respecting the course and all those around them. Therefore, if anyone causes unnecessary damage they will have their application withdrawn immediately.
3. Whenever Hartswood Golf Course has in force as a minimum course rule 'Preferred Lies' the following must be adhered to by all ride-on buggy users:-
 - a) Travel only on the paths (where available) or in the semi rough or rough.
 - b) When approaching the ball to play a shot other than a tee shot, the ride-on buggy should be stopped and parked on the path (where available) semi rough or rough and the buggy user should then walk to their ball and play the shot. In general it is expected that all ride-on buggy users totally avoid all fairways unless absolutely necessary, or as directed by Brentwood Borough Council staff or due to their disability, and then only if it safe to proceed.

For some disabled golfers this may not always be possible. In such cases they MUST precede as follows:

- a) If the ride-on buggy user's disability is such that they are forced to travel on the fairway then please respect the conditions and everyone's safety.
- b) Do not travel the same path twice thus avoid excessive damage. Please use your initiative and common sense at all times.

Golf Buggy Users Acknowledgement and Acceptance Form

All Buggy users must complete this form prior to operating a motorised ride-on Golf Buggy.

Any person who operates a ride-on buggy at Hartswood Golf Course is deemed to have the knowledge, training and skill to safely operate the vehicle and shall be fully accountable for their actions and consequences thereof.

The safe operation of ride-on buggies requires conscientious application and adherence to the minimum standard of care prescribed by the policy.

Name of user:

Address:

By signing below I acknowledge and accept that:

I have read, understood and accept Brentwood Borough Council's 'Transport Policy'

I have read, understood and accept Brentwood Borough Council's 'Golf Buggy Safety Policy'
(Appendix 1)

I have read, understood and accept Brentwood Borough Council's 'Safe Working Practices'
(Appendix 2)

I have read, understood and accept Brentwood Borough Council's 'Buggy Route Guidelines'
(Appendix 3)

I will ensure that the buggy will be maintained and operated in accordance with Brentwood Borough Council's Golf Buggy Safety Policy.

I have provided Brentwood Borough Council a copy of my valid motorised ride-on buggy insurance policy to cover liability for risks to third parties while operating a ride-on buggy.

I agree to indemnify Brentwood Borough Council against all claims costs and demands made against Brentwood Borough Council arising out of or in connection with the use of the ride-on golf buggy.

Signature of user

Date

Signature of representative of Brentwood Borough Council

Date: