

<b>Subject:</b>	<b>RELEASE OF SKY LANTERNS AND HELIUM BALLOONS ON COUNCIL LAND</b>
<b>Meeting and Date:</b>	<b>Cabinet – 2 July 2018</b>
<b>Report of:</b>	<b>Roger Walton, Director of Environment and Corporate Assets</b>
<b>Portfolio Holder:</b>	<b>Councillor Trevor Bartlett, Portfolio Holder for Property Management and Environmental Health</b>
<b>Decision Type:</b>	<b>Non-Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	To amend the conditions of hire and event guidance for the use of Council land to prohibit the release of helium balloons and sky lanterns from Council-owned land and buildings with immediate effect.
<b>Recommendation:</b>	To agree to amend the conditions of hire and event guidance for the use of Council land to prohibit the release of helium balloons and sky lanterns from Council-owned land and buildings.

## **1. Summary**

- 1.1 In recent years outdoor balloon and sky lantern releases have become a more common event at summer fairs, fundraising events, opening of new stores, or part of commemorative and celebratory occasions. However what the potentially harmful consequences for wildlife and property that can occur as a result of this form of celebration have not always been recognised.
- 1.2 A number of national representative groups, including the Chief Fire Officers Association, National Farmers Union, Marine Conservation Society and the RSPCA, are now urging groups and individuals wishing to raise funds or commemorate, to use alternatives to sky lanterns and are asking event planners and retailers to use alternatives as well. In addition to sky lanterns, the Marine Conservation Society, RSPCA, RSPB, Keep Britain Tidy and the National Farmers Union have for many years called for bans on mass balloon releases for similar reasons.
- 1.3 There is no current UK legislation available to control this issue and it is therefore up to each individual local authority to consider the issue for itself.
- 1.4 This report seeks Cabinet agreement to amend the conditions of hire and event guidance for the use of Council land to prohibit the release of helium balloons and sky lanterns from Council owned land and buildings.

## **2. Introduction and Background**

- 2.1 The mass intentional release of helium filled latex balloons or similar and sky lanterns have increased nationally in recent years. However, research has shown that they present a risk of harm to wildlife and create an avoidable risk of fire and damage.

See: [https://www.mcsuk.org/downloads/pollution/beachwatch/MCS\\_balloons\\_and\\_chinese\\_lanterns\\_policy.pdf](https://www.mcsuk.org/downloads/pollution/beachwatch/MCS_balloons_and_chinese_lanterns_policy.pdf).

- 2.2 Sky lanterns (also referred to as Chinese lanterns) are floating paper lanterns and are like miniature hot air balloons. They are often used at celebratory events where many are released into the sky at the same time. They consist of a candle or fuel cell filled with paraffin wax suspended inside a frame of wire or bamboo with a paper balloon above. When lit, they float upwards and drift away, landing when the fuel source runs out. They can reach heights of up to 1000 metres and can drift for several miles in the breeze. Once released, there is of course no control over where the lantern or balloon will land.
- 2.3 The Marine Conservation Society (MCS) has been running a campaign encouraging local authorities and businesses to ban releases on their land. The MCS publicity notes that sky lanterns and balloons may look pretty but they can harm wildlife at sea and on land (not to mention the fire risk they also pose). See: Appendix A and <https://www.mcsuk.org/campaigns/dont-let-go>
- 2.4 Whilst the Council does not often receive requests from event organisers to release sky lanterns and balloons, as a direct consequence of the MCS campaign, the Council has received a number of emails over recent months drawing attention to the concerns being raised at the impact that the uncontrolled release of helium filled latex balloons or similar and sky lanterns can have on the environment.
- 2.5 The National Farmer's Union (NFU) has also been encouraging Councils to ban the lanterns noting that; "It's important to point out that it's not just farm animals which can be affected. Sky lanterns can cause fires to crops, grassland on moors and bales of hay and straw that have been stacked, which could lead to a loss of buildings." See Appendix B.
- 2.6 Similarly, the RSPCA has been actively campaigning on this issue. See: <https://www.rspca.org.uk/getinvolved/campaign/skylanterns>
- 2.7 Given the growing awareness of this issue and the concerns being raised from a wide range of groups, it is understood that more than 50 Local Authorities in the UK now have introduced balloon/lantern release policies.
- 2.8 It is therefore proposed that the Council amend the conditions of hire and event guidance for the use of Council land to prohibit the release of helium balloons and sky lanterns from Council owned land and buildings. This applies to both Council run events and events run by third parties.
- 2.9 The proposed changes to the conditions of hire and event guidance will not of course ban the use of sky lanterns etc. on Council owned land. They will only do so in the limited circumstance of when there is an event taking place which is either promoted by the Council or for which someone has had to hire a park or a building. Thus, they will do nothing at all to address the situation of individuals or groups of individuals going to the park or to the foreshore for a gathering and setting these things off. That could only be done by byelaw and would raise significant questions as to the ability to enforce.
- 2.10 For the avoidance of doubt, piloted hot air balloons are not covered by this policy. Helium balloons may also be permitted when used for research purposes, for example weather balloons, as long as supporting evidence is provided, identifying any risk and/ or any hazards to the environment and with any appropriate mitigation.

### **3. Identification and Evaluation of Options**

#### **3.1** There are two Options available to Cabinet:

Option 1: To agree to amend the conditions of hire and event guidance for the use of Council land to prohibit the release of helium balloons and sky lanterns from Council owned land and buildings. This applies to both Council run events and events run by third parties.

Option 2; To take no action.

#### **3.2** Whilst, the Council could decide not to take action, evidence exists that the release of indiscriminate release of sky lanterns and helium balloons does have a detrimental impact on the local environment and provides an avoidable safety hazard and so Option 1 is the recommended option.

### **4. Resource Implications**

#### **4.1** None.

### **5. Corporate Implications**

#### **5.1** Comment from the Section 151 Officer: Accountancy has been consulted and has no further comments. (DL)

#### **5.2** Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make. (HR)

#### **5.3** Comment from the Equalities Officer: "This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010. <http://www.legislation.gov.uk/ukpga/2010/15> "

### **6. Appendices**

#### **6.1** Appendix A: Extract from MCS literature

#### **6.2** Appendix B: NFU Publicity

### **7. Background Papers**

#### **7.1** None.

Contact Officer: Roger Walton Ext: 42420



**FACTSHEET**

**What happens to balloons after they are released?**

**Balloons can kill wildlife**

**Don't Let Go!**

Protecting our seas, shores and wildlife - now and for future generations.



**Marine Conservation Society**

## Balloons and the law

It is illegal to litter under the Environmental Protection Act (EPA) 1990, with fines of up to £2,500 for each offence. Under this act it is an offence to drop "or otherwise deposit" litter in a public place and therefore releasing balloons should be viewed as an offence under this Act. However, released balloons are not currently defined as litter.

In recognition of the threat posed to wildlife by balloons, mass balloon releases have been banned by several UK local authorities including **South Hams District Council, Oxfordshire County Council and Shetland Islands Council.**

Mass balloon releases are also already banned in Florida, Virginia, Connecticut and Tennessee in the USA and New South Wales in Australia.



© JAMES GREENHALGH/MCS

### take action

Use the information in this leaflet to campaign for a local ban on balloon releases in your area. Write to your local authority and tell them about the threats posed to wildlife by mass balloon releases.



# SKY LANTERNS – THE DANGERS

Sky lanterns may look pretty, but the frames can kill or harm farm animals, and the candles are a major fire risk to crop fields and buildings.



The NFU continues to call for an outright ban on the sale of sky lanterns and will lobby government until action is taken. The NFU welcomed the introduction of a sky lanterns code of practice in 2014, but insists they should be banned.

Here are details of how you can get involved, support our call for a ban and help protect the great British countryside.

## WHAT CAN YOU DO?

### SEND A LETTER

Find our sample letters at [www.nfuonline.com/BackBritishFarming](http://www.nfuonline.com/BackBritishFarming)

Our letter writing guidance notes will help you write to:

- Local council/authority
- Local venues that regularly hold events/weddings
- Your local MP

Drop us an email [campaigns@nfu.org.uk](mailto:campaigns@nfu.org.uk) to let us know who you've written to.

### SPREAD THE WORD

Tell your friends, family and work colleagues how dangerous sky lanterns are.



### RISK FREE ALTERNATIVES

We don't want to stop anyone having fun so why don't you suggest they try one of these alternatives?

- Bubbles – there's a lot of choice when it comes to bubble kits from small bubbles to giant bubble makers.
- Plant a tree to create a long lasting memory of your occasion.
- Pop a balloon – put raffle tickets in a few balloons before blowing them up. Get people to pop them rather than release them.

## THE RISKS



**LITTER NUISANCE** – farmers and other land owners have to clear up the remnants of sky lanterns from their fields.



**RISK TO ANIMALS AND LIVESTOCK** – frames can contaminate forage crops which are later fed to the animals. The frames of sky lanterns can cause suffering or even kill farm animals if they are eaten. Animals can get tangled or injured from the sharp wire frames, and bamboo framed lanterns can splinter causing serious injuries if ingested.



**MAJOR FIRE RISK** – once lit and set off into the sky you don't know where an ignited lantern will land. Fields of standing crops, hay and straw stacks, farm buildings and thatched roofs are all at significant risk of being set alight.



**FALSE ALARM** – the Coastguard has reported incidents of sky lanterns being mistaken for distress signals, and the Civil Aviation Authority are concerned with airborne lanterns being drawn into aircraft engines. They can also delay take-off and landing.

[/nfuonline](https://www.facebook.com/nfuonline) [/nfutweets](https://twitter.com/nfutweets) [/nfucountryside](https://www.instagram.com/nfucountryside)

[www.nfuonline.com/BackBritishFarming](http://www.nfuonline.com/BackBritishFarming)

