

Management Committee

12th December 2017

Notice of Motion prohibiting the release of Sky Lanterns & Helium Balloons from land and premises owned by the Council and the Proposed New Policy

For Recommendation To Council

Briefholder

Councillor Ray Nowak

Senior Leadership Team Contact:

S Caundle, Assistant Chief Executive

Report Author: R Greene, Senior Corporate & Regulatory Lawyer

Statutory Authority: The Environmental Protection Act 1990; The Clean Neighbourhoods & Environment Act 2005

Purpose of Report

- 1 It is to explain and consider a policy available to the Council after debating and approving the Notice of Motion some months ago which concerned a new balloon and sky lantern release policy.

Recommendations/Options

- 2 To consider, approve and introduce a new policy which may be in line with the attached draft which has already been introduced to Weymouth & Portland Borough Council after the same motion was passed.

Reason for Decision

- 3 To approve the draft policy or any amendments thereto in relation to the draft contained in the appendix to this report. It would appear that following debate in Full Council which then proceeded to pass the original motion to prohibit the release of sky lanterns and helium balloons, the Council did not at that stage introduce or adopt a formal written policy.

Background and Reason Decision Needed

- 4 The mass intentional release of helium filled latex balloons or similar and sky lanterns have increased nationally in recent years. These balloons and lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to buildings,

are a threat to aviation and cause false call-outs to the Coast Guard and other emergency services.

5. Under the Environmental Protection Act of 1990 it is an offence (if any person by their actions) to cause or contribute to or tend to lead to the defacement by litter of any place to which the appropriate legislation applies. At the present time Local Authorities have a statutory duty to enforce this Act and in doing so Local Authorities should be mindful of their responsibility to keep public open spaces free from litter wherever possible.
6. It is believed that in excess of 30 Local Authorities in the UK now have balloon/lantern release policies including a number in Scotland and more recently Worcester City Council and Canterbury City Council.
7. The proposed policy in Appendix 2 or any amended version adopted by Full Council would cover all balloon and lantern releases from Council owned property land or buildings within the Weymouth & Portland Borough Council area. It would seek to prohibit the potential act of releasing a balloon or lantern into the general environment.
8. Balloons
Once a latex balloon has been released it can rise to a height of 5 miles where eventually the pressure and the temperature can cause the balloon to undergo brittle fracture. The balloon pieces will then float back down but a number do not burst and float back down to earth entirely whole partially deflated. These balloons can cause significant harm in the time it takes for them to eventually degrade within the environment.
9. Balloons can also constitute a choking hazard for livestock when they fall into grazing fields or alternatively can cause significant problems if they fall into the waters of the UK thereby harming marine life.
10. Lanterns
Sky or Chinese Lanterns are made of thin paper held by a wire or bamboo frame and lifted by heat from a naked flame. They pose similar choking threats to wildlife and livestock as balloons do and they can also false call outs to the Coast Guard and other emergency services. They can pose a fire hazard to crops and farmland, forestry, farm buildings and thatched cottages.
11. The Practice of other Authorities
There are in excess of 30 Local Authorities in the UK that now have balloon/lantern release policies and these are supported by the Royal National Lifeboat Institution, the Maritime Coastguard Agency, The Royal Society for the Protection of Birds, the Marine Conservation Society, the National Farmers Unions and many other organisations. It is therefore felt that if Council was to adopt a new policy this could be a decision to send out a serious message to the local community that the Council wants to prohibit these types of releases from Council owned land and property and in doing so consideration would be given to enforcement of the policy if and when appropriate.
12. Releases of balloons or lanterns can make an impressive sight but pose real hazards to wildlife, livestock, humans and property. There are very

often releases proposed for funding raising, commemorative or celebratory events but evidence is growing of the damage that they can cause, quite often organisers of these events are ignorant of the issues and therefore if adopted the policy should be publicised as fully as possible to maximise public awareness. It would then be hoped that in publicising the policy and advising that alternatives are available this would lead to a reduction particularly in relation to smaller scale private releases especially in relation to lanterns as the public become more aware of the dangers they pose.

13. This matter came before Policy Development Committee on the 27th November 2017 and the recommendation in Section 2 was approved without amendment.

Implications

14. Equalities – none directly involved with this report
15. Environmental – as included in the report
16. Risk Management (including Health & Safety) – the dangers are set out in the report in terms of harm to the potential environment
- 17.. Human Resources – none other than potential enforcement

Consultation and Engagement

The report does have an option to consider consultation after reference to the appropriate Committee if Full Council so wishes

Appendices

Appendix 1 – Notice of Motion

Appendix 2 – Draft Balloon & Sky Lantern Release Policy for 2018

Background Papers

The Weymouth & Portland Borough Council Constitution relating to Notices of Motion and the Marine Conservation Society 2014, the Intentional Outdoor Release of Balloons & Chinese Lanterns; a Pollution Statement and Position Statement v.3 (available online).

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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