

Report

11

Report to:	Executive Committee
Date of Meeting:	15 August 2018
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Balloon and Sky Lantern Release Policy
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ Seek approval for a Policy prohibiting the intentional release of helium filled balloons and /or sky lanterns on South Lanarkshire Council owned land and property and at events endorsed or supported by the Council or licensed by the Council as Licensing Authority, including those on non-Council land.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the policy prohibiting the intentional release of helium filled balloons and/or sky lanterns from all South Lanarkshire Council owned land and property attached as Appendix 1 to the report be approved;
- (2) that steps be taken to raise awareness of the environmental consequences of balloon and sky lantern release and alternatives be promoted via the Council website and in guidance notes accompanying public entertainment licence applications; and
- (3) that the Licensing Committee be asked to consider adding a condition prohibiting the release of helium filled balloons and/or sky lanterns to all public entertainment and temporary public entertainment licences granted by South Lanarkshire Council as Licensing Authority.

3. Background

- 3.1. The mass release of helium latex balloons and sky lanterns have increased in recent years. These balloons and sky lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, and damage to buildings.
- 3.2. Under section 87 of the Environmental Protection Act 1990, it is an offence to throw down, drop or otherwise deposit, and then leave, litter in a public open place. Local Authorities have the ability to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.
- 3.3. More than seventy local authorities in the United Kingdom now have balloon and/or sky lantern release policies including, in Scotland, Angus, Aberdeen City, Aberdeenshire, Dundee City, East Lothian, Falkirk, Fife, Highland, Orkney Islands, Perth and Kinross, and Shetland Islands. Regional Authorities in Canada, USA and Australia have banned balloon releases and sky lantern releases are banned in Australia, Malta, Vietnam, Spain and most parts of Germany.

- 3.4 Keep Scotland Tidy, the National Farmers Union Scotland, the Royal National Lifeboat Institution, the Royal Society for the Protection of Birds, and the Royal Society for the Prevention of Cruelty to Animals and the Marine Conservation Authority all support and call for bans.

4. Policy

- 4.1. A Policy Statement has been prepared and attached at Appendix 1 for approval detailing the issues, alternatives, support from other local authorities and organisations and how South Lanarkshire Council can comply with the Policy.
- 4.2 The policy is designed to prohibit the intentional release of helium balloons and sky lanterns into the general environment; air, land and water. It covers all intentional balloon and lantern releases on South Lanarkshire Council owned land and property and at events supported financially or otherwise by South Lanarkshire Council including those events not on Council owned land.
- 4.3 Public awareness of the environmental consequences of balloon and sky lantern release and alternatives will be promoted on the Council website, social media, and in guidance notes produced to accompany applications for public entertainment licences and temporary public entertainment licences.
- 4.4. In addition, it is intended that the Licensing Committee is asked to consider attaching the following condition to all public entertainment and temporary public entertainment licences granted by South Lanarkshire Council as Licensing Authority, with the exception of the Strathaven Balloon festival and similar, namely that:-
- ◆ It is a condition of the grant of this licence that use of helium filled balloons and sky lanterns at such an event covered by this licence is prohibited.

5. Employee Implications

- 5.1. None.

6. Financial Implications

- 6.1. None.

7. Other Implications

- 7.1. The Policy would demonstrate the Council's commitment to its duties under the Environmental Protection Act 1990, the Climate Change (Scotland) Act 2009 and other environmental legislation.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.
- 8.2. Since it is not proposed that the condition be attached to applications for large scale events such as the Strathaven Balloon Festival and similar events, no consultation is required.

Paul Manning
Executive Director (Finance and Corporate Resources)

19 July 2018

Link(s) to Council Values/Ambitions/Objectives

- ◆ Make communities safer, stronger and sustainable

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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POLICY ON BALLOON AND SKY LANTERN RELEASES

1. Introduction

- 1.1 The release of helium filled balloons and sky lanterns has increased in recent years. These balloons and lanterns pose hazards to wildlife and livestock and can cause injury and death. Lanterns can also cause injury to humans, damage to buildings and cause callouts to the fire service and hazards to Civil Aviation.
- 1.2 Under Section 87 of the Environmental Protection Act 1990 (“the EPA”) it is an offence to throw down, drop or otherwise deposit, and then leave, litter in an area which is open to the air and to which the public has access. Local authorities have a statutory duty to enforce the EPA with fixed penalty notices and have a responsibility to keep public open spaces free from litter.
- 1.3 This policy sets out the main hazards posed by these releases. Within this policy the term “release” refers to the intentional act of releasing a lantern or the release of balloons into the general environment.
- 1.4 This policy covers all intentional balloon and lantern releases on South Lanarkshire Council owned land and property and at events supported, financially or otherwise, by South Lanarkshire Council including those not on Council owned land. For events licensed by South Lanarkshire Council licensees will be required to comply fully with the EPA or such other legislation as may then apply.
- 1.5 Within this policy the term “balloon” refers to any inflatable flexible bag filled with gas, such as helium, hydrogen, nitrous oxide, oxygen or hot air made from materials such as rubber, latex, natural latex, paper, polychloroprene, foil, mylar or a nylon fabric. This includes all biodegradable balloons.
- 1.6 The policy is designed to prohibit the intentional release of helium balloons and sky lanterns into the general environment; air, land and water.
- 1.7 As sky lanterns include a naked flame there is an increased risk of damage resulting from their release and, consequently, the policy prohibits the release of even single lanterns.

2. Balloons

- 2.1 Once a balloon has been released it can rise to a height of 5 miles where the pressure and the temperature cause the balloon to undergo brittle fracture. The balloon pieces then float back down but 5-10% do not burst, and float back down whole and partially deflated. Latex balloons are often cited to “degrade as fast as an oak leaf”, which is reported as 6 months. However they can cause significant harm to wildlife and livestock in these six months by entanglement and choking, and take considerably longer to degrade in the marine environment.
- 2.2 Balloons can also cause a choking hazard for livestock as the pieces of balloon, ribbon, string and plastic holder cups fall into grazing fields or fields of hay or straw which are subsequently made into silage.

3. Lanterns

- 3.1. "Sky" lanterns are made of thin paper held by a wire or bamboo frame and lifted by heat from a naked flame. The definition includes degradable and biodegradable forms. Lanterns pose similar choking threats to wildlife and livestock as balloons.
- 3.2 Lanterns pose a fire hazard to dry standing crops, stacks of hay or straw, forestry and farm buildings, thatched cottages and other buildings.

4. Policy Actions

- 4.1. All balloon and lantern releases on Council owned land and property; and at events endorsed or supported by the Council, including those on non-Council land, are prohibited.
- 4.2. South Lanarkshire Council will raise awareness of the economic and environmental consequences of balloon and Chinese/sky lantern releases and promote alternatives. It is hoped that publicising this policy will also lead to a reduction in smaller scale private releases, as the public become more aware of the dangers they pose.
- 4.3. It is the responsibility of all Council Services, including its arm's length external organisation, to comply with, implement and enforce this policy as appropriate to their Service or Organisation.
- 4.5 The ban of the release of sky lanterns and mass release of helium balloons will be incorporated into appropriate license agreements, letting conditions and local park and building management rules.
- 4.6 It should be noted that this policy is intended to prohibit the intentional release of sky lanterns and helium balloons such as the mass release of balloons at events. The council recognises that there may be instances where single helium balloons will be accidentally released into the environment such as may happen at children's parties.
- 4.7 This policy will be regularly reviewed to ensure that it remains fit for purpose.

5. Alternatives

- 5.1 Balloon, lantern and similar releases are popular means of fundraising, commemoration and celebration. However there are a number of viable alternatives that do not present the same negative outcomes.
- 5.2. These include but are not limited to:
 - 5.2.1 Planting in remembrance- planting a tree or garden benefits the environment as well as providing a memorial which can be visited for many years.
 - 5.2.2 Flower water release- release of flowers or petals encapsulates a similar sense of farewell without the negative consequences, assuming the flowers are native and an appropriate quantity released.
 - 5.2.3 Balloon Sculptures
- 5.3 More alternatives are provided by the Balloons Blow, RSPB and the Marine Conservation Society

6. Communication

- 6.1 The environmental consequences of balloon and sky lantern release will be highlighted and alternatives promoted on the Council website, in social media and in guidance notes

included in application packs for public entertainment licences including temporary licences and events.