



## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington Corporate Director Environment	Councillor Alan Vincent, Resources Portfolio Holder	21 May 2020

### Prohibition of release of sky lanterns and balloons from council land and property

#### 1. Purpose of report

- 1.1 To consider the environmental implications of the release of lanterns and balloons and how the council can seek to address this locally.

#### 2. Outcomes

- 2.1 To improve the health and wellbeing of our communities.
- 2.2 To promote a cleaner and greener Wyre.
- 2.3 To assist in meeting objectives of the Single Use Plastics Policy.

#### 3. Recommendations

- 3.1 That it is agreed to prohibit the release of sky lanterns and balloons from land or property owned and/or controlled by Wyre Borough Council.
- 3.2 That officers amend conditions of hire and event guidance for use of council land and property to stipulate the prohibition of balloon and sky lantern releases.

#### 4. Background

- 4.1 Sky (Chinese) lanterns consist of a paper-covered wire or bamboo frame with an open heat source, which lifts the lantern into the air where it can float for miles from point of release. These, along with intentional mass releases of latex or foil balloons, are used at events and special occasions to raise funds or commemorate an event.

- 4.2** There is sufficient national evidence to show that releases of sky lanterns present an avoidable fire risk. Most notably in June 2013, a single sky lantern was the source of a major fire at a recycling centre in Smethwick, causing £6m worth of damage. During the summer months, crops and moorlands are at particular risk. Lanterns have also been mistaken as marine distress signals, leading to false coastguard callouts, as well as disruption to aviation traffic.
- 4.3** Whilst some products are advertised as biodegradable, debris from sky lanterns and balloons remain in the landscape long enough to pose a significant hazard to wildlife ingestion, entanglement and entrapment. Studies from the Marine Conservation Society reveal that only 13% of latex balloons burst into small pieces, whilst more than 80% of balloons come down intact and can last for up to four years in the marine environment. Similarly, paper lanterns with bamboo frames can take decades to degrade and do not provide a safe alternative.
- 4.4** Local organisations, such as the Love my Beach – Rossall residents / beach buddies and other community groups have raised concerns about the environmental impact and debris caused by such releases. Volunteers from the group often have to remove all manner of debris from local beaches and hedgerows. Locally, in 2011, a dead juvenile green turtle was washed ashore at Knott End-on-Sea, having ingested a balloon. There have also been recorded deaths of pedigree cattle worth £1,000 in both Kent and Cheshire through the ingestion of balloons and metal lantern frames.
- 4.5** A number of national representative groups, including the Chief Fire Officers Associated, National Farmers Union, Marine Conservation Society, Keep Britain Tidy, the RSPCA and the RSPB have for many years called for a nationwide ban on mass releases of both sky lanterns and balloons due to the detrimental impact these have upon the environment. Instead, they have urged groups and individuals, as well as events planners and retailers, to use alternative methods to celebrate.
- 4.6** Recent Government policy, in the form of the 25 Year Environment Plan (Jan 2018), outlines intentions to protect and improve the environment. This includes significantly reducing and preventing all kinds of marine plastic pollution, particularly material that originally came from land, and eliminating avoidable plastic waste. Currently no legal action could be taken for littering under the Clean Neighbourhoods and Environment Act 2005 or Environmental Protection Acts, as “releases” are not currently defined as littering offences, even though the items released do ultimately become litter.
- 4.7** To date, 88 local authorities from across the United Kingdom have successfully established a ban on the release of balloons and/or sky lanterns from their land, and now prohibit the use of these via their terms and conditions of hire agreements.

- 4.8** Whilst locally the number and type of releases or plans to hold such events is unknown, there have been releases in the past and there are retail establishments selling these items locally. In addition, recent online campaigns have suggested releasing sky lanterns in aid of the NHS during the coronavirus pandemic, which has renewed concerns and pressure from groups such as the RSPCA and National Fire Chiefs Council to oppose these events.
- 4.9** The council has recently implemented a Single Use Plastic Policy (July 2019), with the goal to achieve a single-use plastic-free organisation across the council workforce, operations and assets. Within this policy, the council is committed to working with event organisers to reduce single-use plastics at events held on council land.

## **5. Key issues and proposals**

- 5.1** Over the past decade, the mass release of balloons and sky lanterns has become popular with groups and individuals and is often associated with raising funds for charity or to mark commemorations. However well-intentioned such activity is, there is growing recognition that sky lanterns and mass balloon releases present an avoidable fire and safety risk, a hazard to wildlife and livestock, as well as being a contributor to the defacement of land.
- 5.2** In response to the number of national representative groups calling for a nationwide ban, Government and council intentions to eliminate plastic pollution, and increasing evidence of the negative impacts upon flora and fauna, it is proposed that the council adopts a policy prohibiting the release of sky lanterns and balloons from council land. This will be specified as such within the terms and conditions of hire and usage of council land (and land controlled by the council), as well as discouraging staff and council members from supporting sky lantern and balloon releases, either through funding provision or officer and member time.
- 5.3** As a large landowner, the council is uniquely placed to implement a ban and 'lead by example', encouraging partners to adopt the same approach for their land and influencing the public to follow suit. As such it is proposed that the council provide communications to inform local charities, residents and visitors on the dangers of releasing sky lanterns and balloons.
- 5.4** The option of doing nothing was not considered viable as balloon and lantern releases would continue to occur and present an ongoing risk of environmental harm. A national ban is not in place and sales of these products continue, suggesting it is unlikely market forces will address the issue.
- 5.5** Some councils have chosen to ban either sky lanterns or balloons, rather than a complete prohibition of both products. Whilst this would reduce some risk, it would not prevent the release of airborne litter and the environmental hazards from the remaining product would still be present.

**5.6** It is therefore considered that prohibiting the release of sky lanterns and balloons is the option that will have the most impact in preventing littering, reducing risk of fire and minimising hazards to wildlife. This outcome would also align with the council’s commitment to the Single Use Plastic Policy, contributing to the phasing out of single-use plastics across council locations and ensuring our parks, beaches and open spaces are free from plastic litter.

**6. Delegated functions**

**6.1** The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 of the council’s constitution): “To consider the Council’s strategic direction in relation to asset management including: (a) Any matters relating to the sale, lease or tenancy of land or buildings, or the grant of any other right over land, beyond the powers delegated to the Head of the Built Environment; and (b) To consider the management, repair, maintenance and use of the Council’s land and buildings.”

<b>Financial and legal implications</b>	
Finance	No financial implications for the council have been identified.
Legal	It would be very difficult to obtain sufficient evidence to undertake legal action for littering under the Clean Neighbourhoods and Environment Act 2005 or Environmental Protection Act, as “releases” are not currently defined as littering offences, even though the items released do ultimately become litter.

**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

<b>risks/implications</b>	<b>✓ / x</b>
community safety	✓
equality and diversity	x
sustainability	✓
health and safety	✓

<b>risks/implications</b>	<b>✓ / x</b>
asset management	✓
climate change	✓
ICT	x
data protection	x

## **Processing Personal Data**

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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<b>List of background papers:</b>		
name of document	date	where available for inspection
None		

## **List of appendices**

None

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