COUNCILLOR BERNIE MOONEY

CABINET MEMBER REPORT
22 NOVEMBER 2016

PROHIBITION OF MASS RELEASE OF SKY LANTERNS AND BALLOONS

Councillor Bernie Mooney Cabinet Portfolio Holder – Environment said:

‘The people of Wirral are justly proud of Wirral’s unique and beautiful environment and place great importance on ensuring it is protected and cherished. At the Council we recognise that everything from creating great places to live, attracting inward investment and visitors, to promoting health and wellbeing is dependent on a high quality local environment. Therefore we are committed to promoting and celebrating Wirral’s environment but also tackling the issues that detract and threaten it.

With this in mind we can no longer condone the mass release of balloons and sky (Chinese) lanterns from Council land. Such activity, however well intentioned, can have long term detrimental effects on wildlife and result in unsightly and unwanted littering problems.

We are committed to helping event organisers and fund raisers and will offer advice on alternative ways to raise funds or commemorate. We will also be encouraging our partners to adopt the same approach for events and activities on their land.’

REPORT SUMMARY

The mass release of balloons and sky (Chinese) lanterns to the open environment presents a risk of harm to wildlife and creates an avoidable risk of fire and damage. Over time people have become increasingly concerned about the effects such releases are having on Wirral’s environment. There is evidence that the debris from such activities has landed or washed up on the Wirral following flight, harming wildlife and causing detriment to the local environment.
The Council has pledged a commitment to creating an attractive local environment across the borough through the Wirral Plan, also making clear how important the environment is to transforming Wirral’s prospects as an excellent place to invest in, live and visit. With the support of partners, the Council will do all that it can to protect the local environment and tackle issues that are causing detriment.

This report proposes that the Council adopts a policy of prohibiting the mass release of balloons and lanterns from activities on Council land and recommends Members and instruct officers not to support such activities often associated with commemorations and charity fund raising and notes the emerging picture of action being taken in other parts of the country and globally to address the risks created by such activity. Through the report, officers are proposing the development of a policy to prohibit the mass release of balloons and lanterns from Council land.

**RECOMMENDATIONS**

The Cabinet Member is requested to:

1. Approve the establishment of a Council policy prohibiting the release of sky lanterns and mass balloon releases from Council land.

2. Instruct officers to amend conditions of hire and event guidance for use of Council land to stipulate the prohibition of balloon and lantern releases.

3. To instruct officers to amend the Council’s Member and Employee Code of Conduct, to include reference to the prohibition of balloon and lantern releases.
SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

Over the past decade, the mass release of balloons and sky (Chinese) 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 it creates a risk of harm to wildlife and livestock from the debris that falls from the sky on land or is washed up on beaches (through ingestion, entanglement and entrapment). Beach litter surveys organised by the Marine Conservation Society have shown that the number of balloons and balloon pieces found on UK beaches has tripled in the last 10 years.

The flame within unexpired sky lanterns can also pose fire hazards over land and when released out to sea, presenting a risk to the effective operation of coastal rescue services. Both activities also contribute to the defacement of land by litter and falling debris and the metal framework in sky lanterns has also caused damage to farm machinery.

Local voluntary organisations, such as the beach cleaning group the ‘New Brighteners,’ 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. This problem has been highlighted nationally through the Marine Conservation Society and Keep Britain Tidy and similar bans have been implemented by other Councils in the UK.

Officers propose that the Council adopts a policy prohibiting the release of sky lanterns and balloons from Council land and encouraging partners to adopt the same approach for their land.

There is sufficient national evidence to show that releases of sky lanterns and mass balloon releases present an avoidable fire and safety risk, as well as being a contributor to the defacement of land. The proposed policy on sky lanterns and mass balloon releases would focus on the following:

- Prohibiting the use of sky lanterns and mass balloon releases, through specifying as such within the terms and conditions of hire and usage of Council land.
- Amending the Code of Conduct to discourage staff and Council Members from supporting sky lantern and mass balloon releases, either through funding provision or officer and Member time.
- Promoting the Code of Conduct requirement and encouraging other partners to follow suit. This could be primarily achieved through an amendment to the Wirral Events Safety Guide.
- Providing advice to charities and individuals on alternative forms of funding raising events and activity.

2.0 OTHER OPTIONS CONSIDERED

The Council could decide not to take action or provide guidance in relation to the release of sky lanterns and balloons and instead to monitor the environmental impact
from such activity. However, evidence already exists that the release of lanterns and balloons does have a detrimental impact on the local environment and provides an avoidable safety hazard.

Wirral Council has pledged its commitment to creating an attractive local environment across Wirral and allowing the release of lanterns and balloons from Council land would be in contradiction of achieving this commitment.

3.0 BACKGROUND INFORMATION

A number of national representative groups, including the Chief Fire Officers Association, National Farmers Union, Marine Conservation Society and the RSPCA, are 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.

Latex balloons do biodegrade, with some studies suggesting that balloons degrade in about the same time as an oak leaf. But this can still take up to 6 months to occur, depending on environmental conditions such as temperature and humidity. Studies indicate that balloons floating in seawater deteriorate much slower than those exposed to air, with some balloons retaining their elasticity after 12 months. Even biodegradable latex balloons persist in the marine environment and will stay intact in a turtle’s gut long enough to cause death by starvation.

 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 on the Wirral. There appears to be sufficient national evidence to show that releases of sky lanterns present an avoidable fire risk. There is also sufficient evidence to indicate that mass balloon releases are a risk to livestock and wildlife.

A number of local authorities from across the country have successfully established a ban on the mass release of balloons and lanterns from their land. Oxford, Plymouth and Portsmouth City Councils are examples of such authorities to have introduced bans over the past eight years, and now prohibit the use of sky lanterns and mass balloon releases from their land, via their terms and conditions of hire agreements.

Acting now and raising awareness well in advance of next year’s summer programme will provide event organisers with sufficient time to source alternative fund raising arrangements.

4.0 FINANCIAL IMPLICATIONS

The establishment of the policy to prohibit the mass release of lanterns and balloons will be delivered within existing budgets and financial resource. The costs involved with establishing the policy will be minimal, enforcing the policy and investigating
alleged breaches would take up some officer time but again this will be met internally.

5.0 LEGAL IMPLICATIONS

Under current legislation as set out in the Clean Neighbourhoods and Environment Act 2005 and Environmental Protection Act 1990, waste from balloons and or sky lanterns is not classified as litter and as such no specific action can be taken. However the Council has the authority to determine the required conduct of people using its land and therefore can enforce the prohibition of mass balloon and lantern releases through the adoption of the policy.

The Civil Aviation Authority requires written application for the release of more than 5000 balloons at any one time, at least 28 days in advance of the release.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

Resource levels required to deliver the policy are relatively small, focusing on officer time taken to liaise with event organisers, communicate the requirements of the code of conduct and to amend the Council’s conditions of hire and events safety guidance.

If the conditions of hire or event safety guidance have been found to be breached (ie someone reports a release from an event) then enforcement would be delivered by way of potential refusal to allow the person/organisation to hire Council land in the future. It is not envisaged that enforcement staff be utilised to monitor events to enforce the policy’s requirements.

7.0 RELEVANT RISKS

The Council could be criticised for appearing to react to a small level of activity with relatively low environmental impact, in a heavy handed way on something associated with raising funds for charity. Control – the Council would provide a list of alternative activities that would be permissible on Council land that can be just as effective in raising funds or providing commemoration.

The Council may have difficulty in identifying the required level of resource to enforce the prohibition policy. Control – the enforcement of the policy will be delivered through the investigation of an alleged breach rather than through physically monitoring events on Council land. The increasing use of social media to publicise events will assist in this task.

There is a risk of negative publicity towards a third party organisation who has failed to comply with the policy, breaching the prohibition by releasing balloons or lanterns. Control – the conditions of hire and event safety notice will set out requirements and provide alternative ideas for fund raising, also making clear the consequences of breaching the prohibition. There will be publicity to highlight the Council’s stance on this issue.
8.0 ENGAGEMENT/CONSULTATION

The concept of prohibiting the release of balloons and lanterns from Council land has been raised internally with colleagues from other Council departments and with some local voluntary organisations and support has been indicated.

The development of the proposed policy would require wider consultation with interested groups.

9.0 EQUALITY IMPLICATIONS

Has the potential impact of your proposal been reviewed with regard to equality?

(a) Yes and impact review is attached –


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APPENDICES

REFERENCE MATERIAL
- Wirral Council’s Organising Public Events in Wirral.
- General Conditions of Hire
- What Happens to Balloons After they are Released – Marine Conservation Society

SUBJECT HISTORY (last 3 years)

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