



COUNCIL EXECUTIVE

POLICY ON RELEASE OF CHINESE / SKY LANTERNS AND BALLOONS

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to set out the hazards posed by the release of Chinese/sky lanterns and helium filled balloons and the growing evidence of the damage they cause. Other local authorities and organisations, such as Keep Scotland Beautiful and the National Farmers Union Scotland (NFUS) are supporting calls for bans of all such releases.

B. RECOMMENDATION

It is recommended that the Council Executive support and approve::

- (i) the Policy Statement set out in (Appendix 1) and prohibit the use of all council land and property for the release of helium filled balloons and Chinese style lanterns and
- (ii) that West Lothian Council will raise awareness of environmental consequences of balloon and Chinese/sky Lantern releases and promote alternatives.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	West Lothian Council Open Space Strategy Duty of Care – Occupiers Liability
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	SOA 8. We make the most efficient and effective use of resources by

minimising our impact on the built and natural environment.

VI Resources - (Financial, Staffing and Property) None

VII Consideration at PDSP Considered at PDSP on 16th of February 2017. The Panel supported the submission of the report to the Council Executive for approval.

VIII Other consultations Property Management and Development
Legal Services
Risk and Insurance Services
Fire and Rescue Services
NFU

D. TERMS OF REPORT

D.1 Background

Following intimations to the Council by the National Farmers Union Scotland (NFUS) to consider a ban on the release of helium filled balloons and Chinese/sky lanterns an internal consultation exercise was undertaken to determine the effects of their release across a variety of council service areas and a policy in support of the request from NFUS devised.

The release of helium filled balloons and Chinese/sky lanterns have increased 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, woodland, agricultural land and cause callouts to the Fire and Rescue Services.

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.

D.2 Balloons

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.

Once a balloon has been released it rises 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. These balloons are often cited to “degrade as fast as an oak leaf”, which is reported as 6 months. However they can cause significant harm in these six months by entanglement and choking, and take considerably longer to degrade in the marine environment. (Background Reference 1).

D.3 Lanterns

“Chinese” or “Sky” 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 also cause false callouts to the coastguard. They pose a fire hazard to dry standing crops, stacks of hay or straw, forestry and farm buildings, and thatched cottages. Recent examples are the recycling plant blaze in the Midlands and a caravan park in Worcestershire, both attributed to lanterns. (background reference 3)

In Scotland, NFUS staff and members have reported finding lantern remains on or near farmland in Renfrewshire, Bute, Aberdeenshire, Wigtownshire and near Edinburgh. While injury to animals or damage to property has yet to be reported in Scotland (there have been cases in England), the fear with NFUS is that this is just a matter of time. (background reference 4)

D.4 Threats to Wildlife and Domestic Livestock

The following species, all of which occur in the waters off the UK, have been reported with latex balloons in their digestive system: Common Dolphin, Risso's Dolphin, Loggerhead Turtle, Leatherback Turtle, Blue Shark and Northern Fulmar. (background reference 1) Common Dolphin, Risso's Dolphin and Northern Fulmar are all present off our coasts.

The Marine Conservation Society co-ordinate regular beach cleans and litter surveys, as part of their Beachwatch campaign, on beaches throughout the UK on the third weekend of September. In 2005, balloons and their ribbon and string accounted for 4% of entanglements of marine creatures recorded over a single weekend. (background reference 2)

Aberdeenshire Council Ranger Service have led Beachwatch events on Aberdeenshire beaches since the 1990s. Evidence in 1996 from Balmedie show that anything between 6 and 106 balloons or balloon pieces have been found during any one survey. The average number of balloons and balloon pieces found on UK beaches on Beachwatch surveys almost tripled in 2011 when compared to figures in 1996. (background reference 1)

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 ensiled.

Enquiries to the Scottish Fire and Rescue Service indicate that there have been 4 instances relating to the release of Chinese/sky lanterns in the last 5 years in West Lothian, one of which was a false alarm. However the Fire and Rescue Service believe this may be under reported due to the categorisation of the source of fires and the way they search their data.

D.5 Practice of Other Authorities

A growing number of local authorities in the UK now have balloon / lantern release policies including Angus, Aberdeen City, Aberdeenshire, Perth & Kinross, Highland, Falkirk and Shetland Islands. Regional authorities in Canada, USA and Australia have banned balloon releases. Lantern releases are banned in Australia, Malta, Vietnam, Spain and most parts of Germany, and it is also illegal to import or sell them in Austria.

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

Some of the organisations that have balloon release policies or have cancelled events are Barclays, Marks & Spencer, Sainsbury's, Norwich Union, TGI Fridays, The Co-operative Group and Guinness Book of Records.

D.6 Alternatives

Many balloon and lantern release events are planned for fundraising and celebrations. West Lothian Council can support alternatives whilst enforcing the ban.

The Marine Conservation Society has provided alternatives:

- Flags, banners & pop-ups – When budgets are tight many businesses are realising the benefits of using reusable eye-catching signage. Colourful streamers, flags, banners and other signs save money and time over balloons, string, helium and lanterns.
- Balloon sculpture - Turn balloons into something stunning with a hired-in balloon artist or try your own.
- Virtual balloons & races - The RSPB have launched a new virtual balloon race where you can design and personalise your balloon and then track it on Google maps.
- Pop a balloon - Put a raffle ticket in a few balloons before blowing them up...let them go (indoors) and ask people to pop them...the raffle ticket indicates the prize.
- How many? - Fill up a car with blown up balloons and then get people to guess how many there are. The closest guess wins a prize.

D.7 Policy Statement

A Policy Statement has been prepared (Appendix 1) detailing how West Lothian Council propose to ban the release of both lanterns and helium filled balloons on council owned and leased land and property, by council staff, leaseholders and the public. The ban will also apply at events endorsed or supported by the council.

The policy will be enforced through the issuing of fixed penalty notices under the Environmental Protection Act 1990 for littering, where positive identification is made. In addition, leasing arrangements will incorporate the policy into their conditions of use.

E. CONCLUSION

Releases of balloons or lanterns can make an impressive sight but pose hazards to wildlife, livestock, humans and property. They are on the increase, often for fundraising, commemorative or celebratory events. Evidence is growing of the damage they cause and it is recommended that West Lothian Council join with an increasing number of local authorities in introducing a policy banning all such releases on council property, council owned or leased land, by council staff, leaseholders or the public and at council endorsed or supported events, including those not on council owned land. Often the organisers of these events are unaware of the issues so the policy should be publicised as fully as possible, to maximise awareness. It is hoped that publicising the policy and promoting alternatives will also lead to a reduction in smaller scale private releases, especially of lanterns, as the public become more aware of the dangers they pose.

F. BACKGROUND REFERENCES

1. Marine Conservation Society Pollution Policy and Position Statement:
http://www.mcsuk.org/downloads/pollution/beachwatch/MCS_balloons_and_chinese_lanterns_policy.pdf
2. Entanglement:
<http://www.keepsotlandbeautiful.org/media/1556461/balloon-and-flying-lantern.pdf>
3. Midlands fire:
<http://www.bbc.co.uk/news/uk-england-birmingham-23123549>
Worcestershire fire:
<http://www.bbc.co.uk/news/uk-england-hereford-worcester-25100406>
4. NFUS:
<http://www.nfus.org.uk/news/2011/january/happy-lantern-free-chinese-new-yearNone>

Appendices/Attachments:

Appendix 1: Policy Statement – West Lothian Council - Prohibition of Balloon and Chinese / Sky Lantern Releases

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Date of meeting: 28 February 2017

APPENDIX 1

Policy Statement – West Lothian Council Prohibition of Balloon and Chinese /Sky Lantern Releases

1. Introduction

- 1.1 The release of helium filled balloons and Chinese/sky lanterns have increased in recent years. This Policy Statement guards against the hazards balloons and lanterns pose to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to buildings, woodlands and agricultural land and cause false callouts to the coastguard.
- 1.2 This Policy Statement covers all balloons and lantern releases on West Lothian Council owned or leased property and land, by West Lothian Council employees, leaseholders and the public and at West Lothian Council endorsed or supported events, including those not on council owned land.
- 1.3 Within this policy the term “release” refers to the intentional act of releasing a balloon or lantern into the general environment.
- 1.4 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.

2. Policy Actions

- 2.1 All balloon and lantern releases on council owned and leased land and property, by council staff, leaseholders and the public and at events endorsed or supported by the council, including those on non-council land, will be prohibited.
- 2.2 Fixed penalty notices, for littering, will be issued where positive identification of those failing to adhere to the policy is established.
- 2.3 In addition to fixed penalties, organisations or individuals who fail to comply with the policy may have their approval to hold events on Council owned or leased land revoked or Council support or endorsement of events withdrawn.
- 2.4 West Lothian Council will raise awareness of environmental consequences of balloon and Chinese/sky Lantern releases and promote alternatives.
- 2.5 It is the responsibility of all Services to comply with and implement this policy as appropriate to their Service, including stipulating the policy in licencing and leasing arrangements for service users.

3. Summary

- 3.1 This policy will ensure a consistent approach by West Lothian Council in dealing with requests for the release of balloons and Chinese / sky lanterns