



# Winchester

City Council

## **DRAFT** PORTFOLIO HOLDER DECISION NOTICE

### **PROPOSED** INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR ENVIRONMENT, HEALTH AND WELLBEING

### TOPIC – CORPORATE POLICY ON SKY LANTERNS AND BALLOON LAUNCHES

#### PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Chief Operating Officer, the Chief Executive and the Chief Finance Officer are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

**If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Democratic Services Officer by 5.00pm on Monday 14 September 2015.**

#### Contact Officers:

**Case Officer:** Eloise Appleby, Assistant Director (Economy and Communities), tel 01962 848 181, email [eappleby@winchester.gov.uk](mailto:eappleby@winchester.gov.uk)

**Democratic Services Officer:** Nancy Graham, Tel: 01962 848 235, [ngraham@winchester.gov.uk](mailto:ngraham@winchester.gov.uk)

#### SUMMARY

- In recent years, the use of sky lanterns has become increasingly popular for night-time celebrations such as Bonfire Night and New Year's Eve.
- Sky lanterns consist of a paper-covered wire or bamboo frame, under which a small fuel supply with a naked flame is placed. Sometimes these are used purely as decoration along a path or hanging from tree branches, but some versions can also be launched into the sky. Once launched, they float – according to some websites – up to a height of 1,000 feet and travel for several miles. They travel on the wind and land when the flame dies out.

- Although lanterns are said to be biodegradable, people can be concerned about their potential to cause damage to buildings, livestock and natural habitats.
- Both Defra and the Welsh Government have reviewed evidence and concluded that the sky lanterns pose a significant fire risk, and indeed firefighters rushed to Winchester Cathedral in 2006 when one lantern landed on the roof. There was considerable concern about the old wooden structure of the building, and a sweep had to be carried out for other lanterns. In rural areas, the lanterns can start fires which destroy habitats and set animal housing, feed and bedding alight.
- The frames can also become chopped up with hay and eaten by livestock leading to stomach ruptures. The RSPCA website quotes ingestion, entanglement, puncturing and entrapment as three threats to animal wellbeing, often leading to injury, suffering and death. The National Farmers' Union website calls for a complete ban.
- The Civil Aviation Authority has recommended that lanterns are not launched without prior notification of any nearby airfield, through concerns about the potential distraction of pilots. There are also concerns for coastal shipping, should lanterns be mistaken for distress flares.
- Hampshire County Council banned the launching of sky lanterns from its land and property in September 2014.
- At the same time, there is also a strong case for banning mass balloon releases from Council land, in view of the long-established risks presented to grazing animals and wildlife by the latex (and strings) when they land. The RSPCA, Defra and other bodies have all published information about the health risks to animals and the environment.
- In order to reduce the risks outlined above, it is proposed that the City Council seeks to prevent the launching of sky lanterns and mass balloon launches on its own land and property. The Council's licences and commercial tenancy agreements will be amended, on a rolling basis, to reflect this. The Council's policy will also be set out in the Tenant Handbook when it is next printed.
- It is therefore proposed that the Council formally adopts the following policy statement:

“In view of the risks associated with the releasing of sky lanterns and massed balloon launches, Winchester City Council does not permit such activities on its land and premises.

Furthermore, the Council strongly discourages such activities on private land, and recommends that event organisers consider the potential safety concerns, damage and litter nuisance before buying or launching sky lanterns or balloons.”

- There are still many other ways to enjoy atmospheric outdoor celebrations: tethered balloons and lanterns, outdoor lighting, bubbles, bunting and sparklers all provide safe alternatives.
- Winchester District Community Strategy seeks to deliver a High Quality Environment: one specific objective is to ensure that the quality of place we enjoy is maintained and enhanced. The use of sky lanterns and mass balloon releases works against this objective, and the measures proposed in this Decision Notice will play a part in protecting the District's buildings, countryside and animal life.

### **PROPOSED DECISION**

- a) That it be agreed that the launching of sky lanterns and mass release of balloons are not permitted on Council-owned land and property.
- b) That a policy statement be also formally adopted by the Council as follows:

“In view of the risks associated with the releasing of sky lanterns and massed balloon launches, Winchester City Council does not permit such activities on its land and premises.

Furthermore, the Council strongly discourages such activities on private land, and recommends that event organisers consider the potential safety concerns, damage and litter nuisance before buying or launching sky lanterns or balloons.”

### **RESOURCE IMPLICATIONS**

It is very unlikely that any potential hirers of Council-owned land would be deterred by the new policy as such activities have been discouraged informally for some time. Officers do not therefore foresee any financial implications to the Council.

### **REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

The decision is based on extensive evidence published by expert bodies. It reflects the Council's commitment to caring for its built and natural environments.

The Council has the option not to pursue these measures. Whilst they may not have major impacts in themselves – because many lantern and balloon releases take place on private land – they are felt to demonstrate the Council's community leadership role.

The Council could also consider introducing a byelaw to reinforce the policy, and this would allow a criminal prosecution to be brought. Although this might be a greater deterrent, it is considered a disproportionate measure at the present time. This option remains, of course, and could be taken up in future if the actions proposed in this Decision Notice are not considered to be effective.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE**

n/a

**DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED**

n/a

**DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

n/a

**Approved by: (signature)**

**Date of Decision**

**Councillor Frank Pearson, Portfolio Holder for Environment, Health and Wellbeing**