

CIVIC LICENSING COMMITTEE – 6 AUGUST 2015

POLICY ON INTENTIONAL BALLOON AND CHINESE / SKY LANTERN RELEASES

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This report sets out the hazards posed by the intentional release of helium filled latex balloons and Chinese/sky lanterns and the growing evidence of the damage they cause. This report also recommends that the Committee impose a standard condition on the grant of Public Entertainment Licences prohibiting the intentional release of helium filled latex balloons and Chinese/sky lanterns at events in respect of which the Licence is granted.

1. RECOMMENDATION

It is recommended that the Committee impose a standard condition on the grant of Public Entertainment Licences prohibiting the intentional release of helium filled latex balloons and Chinese/sky lanterns at events in respect of which the Licence/Extension is granted.

2. BACKGROUND

The mass intentional releases of helium filled latex 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 and cause false callouts to the coastguard.

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 latex 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.

“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.

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.

Under section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit, and then leave, litter. Local authorities have a statutory duty to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.

More than twenty four local authorities in the UK now have balloon/ lantern release policies including Aberdeen City, Highland, Falkirk and Shetland Islands. Keep Scotland Tidy, the National Farmers Union Scotland, the Royal National Lifeboat Institution, the Royal Society for the Protection of Birds and the Marine Conservation Society all support restrictions on the intentional release of helium filled latex balloons and chinese/sky lanterns.

The Committee is responsible for issuing Public Entertainment Licences. It is recommended that the Committee impose a standard condition on the grant of Public Entertainment Licences prohibiting the intentional release of helium filled latex balloons and chinese/sky lanterns at events in respect of which the Licence/Extension is granted.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

4. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights issues arising directly from this report.

NOTE: No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing this report.

REPORT AUTHOR: David Thompson, Principal Solicitor

EMAIL DETAILS: LEGDEM@angus.gov.uk

L&DS/SCH/DT