

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration & Sustainable Development Cabinet Board

8th December 2017

Report of the Head of Planning and Public Protection

Nicola Pearce

Matter for Decision

Wards Affected: All

Consideration of: the Council's policy for the release of Sky Lanterns and Balloons on Council Owned Land.

Purpose of the Report

- 1 To consider amendments required to the Council's existing policy on the release of sky lanterns on Council owned land.

Executive Summary

- 2 The existing 'Policy for Release of Sky Lanterns on Council Land' was approved by the Council's 'Environment and Highways Cabinet Board' on 6th March 2014. This decision was based on the impact to wildlife, livestock and the public from the discarded material and subsequent fires.
- 3 Due to the increasing body of evidence of the detrimental impact of balloons being released into the environment, this report seeks approval to extend the existing policy which bans the release of sky lanterns, to include the intentional release of balloons as part of any event.

Background

- 4 The Council is one of the largest land owners in the County Borough and the activities within our green spaces can have a significant impact on the local environment.
- 5 The release of items such as sky lanterns or balloons is viewed as littering under the Environmental Protection Act (1990) and it is the

responsibility of the Council to ensure that public green open spaces remain free from litter.

Policy Review

- 6 In the period since the existing policy was approved, further evidence has come to light on the impact of balloon releases. Balloons are often mistaken as food by many species, particularly in the marine environment. If eaten, balloons can block digestive systems and cause the animal to starve, whilst the string can cause entanglement.
- 7 The Marine Conservation Society is currently running the '*Don't Let Go*' campaign. They are campaigning for the adoption of a ban by all Local Authorities and have published a list of the Councils that already have a ban in place. Neath Port Talbot is currently identified as having a ban for sky lanterns, whilst some other Welsh Councils, such as Bridgend and Cardiff, have adopted bans for both balloons and sky lanterns.
- 8 In response to the increasing body of evidence of the detrimental impact of balloons being released into the environment, it is proposed to amend and extend the existing policy (which already bans the release of sky lanterns), to include the intentional release of balloons as part of any event.
- 9 There are a number of alternatives to balloon releases and these will be promoted should there be any requests to the Council to allow a balloon release event. These include virtual balloon releases, balloon sculptures or indoor 'pop a balloon' events. For memorial events, candle lighting or bubble blowing have proven to be popular as an alternative.
- 10 The amended policy is set out in **Appendix 1** and includes a commitment to refuse permission for any balloon release from any Council owned / controlled land.
- 11 Members should note that the implementation of the policy supports the Council's Enforcement Policy in regard to littering and ensures that Neath Port Talbot's communities and environment are sustainable and in this regard, the policy complements the Council's Single Integrated Plan.

Financial Impact

- 12 There are no financial implications associated with this report.

Equality Impact Assessment

- 13 In order to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010, an Equality Impact Assessment (EIA) Screening Exercise has been carried out. The Screening Exercise concluded that there is no requirement to carry out an additional separate exercise.

Workforce Impacts

- 14 There are no workforce impacts associated with this report.

Legal Impacts

- 15 There are no legal impacts associated with this report.

Risk Management

- 16 There are no risk management issues associated with this report.

Consultation

- 17 There is no requirement for consultation on this item.

Recommendation

- 18 That having considered the report, it is resolved to make the following recommendation for approval:

1. That the amended Policy as set out in Appendix 1 be agreed.

Reasons for Proposed Decision

- 19 To ensure that the existing policy reflects more recent evidence on the impact from the release of balloons into the environment.

Implementation of Decision

- 20 The decision is proposed for implementation after the three day call in period.

Appendices

- 21 Appendix 1 – Policy for the Release of Sky Lanterns or Balloons on Council Owned Land (July 2017)

List of Background Papers

- 22 Marine Conservation Society's 'Don't Let Go' Campaign.
http://www.mcsuk.org/what_we_do/Clean+seas+and+beaches/campaigns+and+policy/Don%27t+let+go+-+balloons+and+sky+lanterns

Officer Contact

- 23 Ceri Morris – Planning Policy Manager [Tel: 01639 686320 / E-mail: c.morris1@npt.gov.uk]
- 24 Catrin Evans – Countryside and Wildlife Team Leader [Tel: 01639 686056 / E-mail: c.a.evans@npt.gov.uk]

Appendix 1 - Policy for the Release of Sky Lanterns or Balloons on Council Owned Land (July 2017)

The Council is one of the largest land owners in the County Borough and is fortunate to be home to many parks, gardens and recreational areas. We recognise that activities within our green open spaces can have a significant impact on the local environment.

There is evidence of the harmful impacts of sky lantern or balloon litter to the environment and wildlife, in particular within the marine environment. Sky lanterns are also known to cause damage to farming and buildings.

The release of sky lanterns or balloons is viewed as littering under the Environmental Protection Act (1990), which makes it an offence to deposit litter in public places. It is the responsibility of this Council to ensure that public green open spaces remain free from litter and as such, the Council is fulfilling its statutory duties through the development of this policy. It would be against the spirit of the Act if the Council allowed activities on its land which had the effect of littering adjoining lands or the marine environment or causing personal injury.

In implementing this policy, this Council will:

- Refuse permission for any sky lantern or balloon release from any Council owned, and controlled, land regardless of the purpose(s) for the release.
- Refuse a street trading consent to any person wishing to sell sky lanterns within the County Borough.
- Refuse a permit for any street vendor wishing to sell sky lanterns at the Neath September Fair.
- Require Council 'Standard Conditions of Contract' relating to outdoor events and organised displays on Council owned land / controlled green space to ban the release of any sky lantern or balloon, regardless of purpose.
- Consider the potential to instigate enforcement proceedings against any person responsible for creating litter by releasing or allowing the release of sky lanterns or balloons.

This policy includes all flying lanterns or balloons, including those that are biodegradable.

There are a number of alternatives to balloon releases and these will be promoted should there be any requests to the Council to allow a balloon release event. These include virtual balloon releases, balloon sculptures or

indoor 'pop a balloon' events. For memorial events, candle lighting or bubble blowing have proven to be popular as an alternative.

This policy will be monitored over the course of its lifetime and will be reviewed in light of other Council policies and changing legislation as required.