



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Cabinet

21 January 2020

Report of: Councillor Dr Peter Moseley

Cabinet Member for Commercial
and Operations



Position Statement on the Intentional Release of Sky (Chinese) Lanterns and Balloons

The purpose of this report is to consider the Council's position in relation to the intentional release of sky (Chinese) lanterns and balloons on council owned public open space.

Report Author

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Corporate Priority:	Decision type:	Wards:
Competitiveness	Non-Key	All Wards

Reviewed by:	Ian Yates, Assistant Director – Commercial and Operations	12 December 2019
Approved by:	Gary Smith, Strategic Director – Commercial and Operations	12 December 2019
Signed off by:	Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations	3 January 2020

Recommendation (s) to the decision maker (s)

1. That the position statement on the intentional release of sky (Chinese) lanterns and balloons is adopted by Cabinet, subject to public consultation.
2. That the minority groups potentially affected by the adoption of the position statement be consulted.
3. Authority is delegated to the Strategic Director of Commercial & Operations, in consultation with the Cabinet Member for Commercial & Operations, to make any consequential changes as a result of the consultation.

1 The Background to the Report

- 1.1 The intentional release of sky (Chinese) lanterns and balloons to the open environment have become a popular way of fundraising for charity or for marking occasions. It is impossible to control where they land, and they can travel large distances before falling to the ground or into streams and rivers which may lead to the sea.
- 1.2 Balloons and their string/ribbon attachments can cause a choking or entanglement hazard for livestock and wildlife. Lanterns pose similar threats from the metal frame and as they contain a naked flame, also pose an avoidable fire hazard to dry standing crops, stacks of hay or straw, forestry and buildings. Being a predominantly rural district, there may be greater risks to livestock, wildlife and crops than in more densely populated areas.
- 1.3 The extent of intentional releases in South Kesteven is unknown. However, the Council has demonstrated its commitment to improving the attractiveness of the district through the Big Clean and the debris will have a detrimental impact on the local environment.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 At their meeting on 26 November 2019 the Environment Overview and Scrutiny Committee agreed that it would be beneficial for the council to consider setting out its position on the intentional release of sky (Chinese) lanterns and balloons on council owned public open space.
- 2.2 The Committee agreed a draft position statement which is at Appendix 1 and decided that it was suitable to be presented to Cabinet for approval.
- 2.3 The equality impact assessment at Appendix 2, recognises that there is the potential for the statement to have an impact on the “race” and “religion or belief” equality groups as lanterns are used during some religious and cultural festivals. After discussion, the Committee recommended to Cabinet that a period of consultation should be undertaken prior to publishing the final statement, with focus on engaging with the identified equality groups.

3 Available Options Considered

- 3.1 The Council is not obliged to publish a position statement and can remain silent on the issue.
- 3.2 While a breach of a position statement would not be legally enforceable, if approved, it can be included in Council policies and agreements relating to the use of Council land e.g. parks and open spaces for public events etc.

4 Preferred Option

- 4.1 Publishing a position statement would show the Council’s continued commitment to improving the attractiveness of the district and tackling the detrimental impact of the debris resulting from the releases.

5 Reasons for the Recommendation (s)

- 5.1 There is currently no UK legislation available to control this issue, therefore it is for the local authority to consider whether a position statement is necessary.

6 Next Steps – Communication and Implementation of the Decision

- 6.1 If Cabinet agrees that the statement is suitable and decides that public consultation is necessary, that a period of 6 weeks consultation is commenced.

7 Financial Implications

7.1 There are no direct financial implications arising as a result of this report.

Financial Implications reviewed by: Alison Hall-Wright, Head of Finance

8 Legal and Governance Implications

8.1 The policy statement would enable the Council to monitor the use of its parks and open spaces and to educate any members of the public who might wish to release such lanterns from Council land. However, it should be recognised that adopting the policy statement would not confer any enforcement rights on the Council but should be viewed as a longer term ambition to promote good practice and reduce the impacts referred to in the report.

Legal Implications reviewed by: Shahin Ismail, Monitoring Officer

9 Equality and Safeguarding Implications

9.1 An equality impact assessment has been undertaken and is at Appendix 2. This recognises that there is the potential for the statement to have an impact on the “race” and “religion or belief” equality groups as lanterns are used during some religious and cultural festivals.

10 Risk and Mitigation

10.1 No significant risks have been identified as a result of this report.

11 Community Safety Implications

11.1 No significant community safety implications have been identified as a result of this report.

12 Other Implications (where significant)

12.1 None identified.

13 Background Papers

13.1 [Report to Environment Overview and Scrutiny Committee - 26 November 2019](#)

14 Appendices

14.1 Appendix 1 - Draft South Kesteven Position Statement on the Intentional Release of Sky (Chinese) Lanterns and Balloons.

14.2 Appendix 2 – Stage 1 Equality Impact Assessment

Report Timeline:	Date of Publication on Forward Plan (if required)	19 December 2019
	Previously Considered by: Environment Overview and Scrutiny Committee	26 November 2019
	Final Decision date	21 January 2020