

Record of Officer Decision

A Policy to Ban the Release of Sky Lanterns and Balloons from Torbay Council Land and Property

Decision Taker and Date Decision Taken:

Director of Place on 06 April 2020

Summary of Matter or Issue Requiring Decision:

The release of lanterns and balloons can be used to celebrate events and raise awareness and/or money for charities. However, such releases can pose a significant threat of harm to wildlife and livestock from ingestion, entanglement, entrapment and through the panic they can cause. The flame within some lanterns can also pose a fire hazard. Lanterns and balloons are both potential sources of litter and waste in our environment.

A Policy to ban the intentional release of sky lanterns and balloons from land or property owned/controlled by Torbay Council will prevent littering, reduce the environmental impact on livestock, wildlife, and reduce the risk of fire.

Recent Government policy, in the form of the 25 Year Environment Plan (Jan 2018), sets out intentions to improve the environment, 'within a generation' by protecting and improving the environment and promoting resource efficiency. Subsequent government documents seek to tackle waste issues, including litter, minimising waste and eliminating avoidable plastic waste.

The Council, as a large land owner, is uniquely placed to implement a ban on actions which may result in negative impacts on flora and fauna. Such a ban can also be seen as the Council 'leading by example' and informing and educating others to implement wider behavioural change campaigns.

The banning of releases is supported by the Marine Conservation Society, National Farmers Union, and the Royal Society for the Prevention of Cruelty to Animals, along with many other national protection bodies and local authorities.

On 3 April 2020 the Leader of the Council and Cabinet Member for Infrastructure, Environment and Culture were consulted on the proposed Policy.

Decision Taken:

That a Policy to ban the intentional release of sky lanterns and balloons from land or property owned/controlled by Torbay Council be approved, and that the Policy is implemented through all appropriate measures and controls.

Summary of Reason(s) for Decision Taken:

The increased usage and deliberate release of sky/floating lanterns and balloons is having a harmful impact on our environment, wildlife and farm animals. The introduction of a Policy will prevent littering, reduce the environmental impact on livestock/wildlife and reduce the risk of fire.

Summary of Alternatives or Options considered and rejected and Background Papers:

The following alternative options were considered:

Option 1 - Do Nothing

Balloon and lantern releases will continue to occur with the ongoing risk of environmental harm. It is unlikely that there will be a national ban on lantern and balloon releases in the near future and as sales and releases are still taking place it is unlikely that market forces will address the issue. Given the likelihood of deaths to livestock, risks to property and ongoing littering, doing nothing is not a viable option.

Option 2 - Take action under existing Legislation

No legal action could be taken for littering under the Clean Neighbourhoods and Environment Act 2005 or Environmental Protection Acts, as "releases" are not currently defined as littering offences, even though the items released do ultimately become litter. This option would therefore not allow the objectives to be met.

Option 3 - Ban Lanterns but not Balloons

Although this will reduce the risk of fire from lanterns the littering and ingestion issues remain. Also, the ongoing release of balloons will deliver airborne litter and alternate methods of commemoration or celebration, other than balloons, are available.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None

Implementation:

The decision will come into effect immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: _____
(Director of Place)