

**Wards Affected:**

**All Wards**

**ITEM 6**

**DELEGATED DECISION**

**12 MARCH 2019**

**PROPOSED BAN OF BALLOON AND SKY LANTERN RELEASES FROM MILTON KEYNES COUNCIL LAND**

Responsible Cabinet Member: Councillor Gowans, Cabinet member for Public Realm

Report Sponsor: Stuart Proffitt, Director - Environment and Planning.

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**Executive Summary:**

The release of balloons and sky lanterns in the outdoor environment poses a significant threat of harm to wildlife and livestock from ingestion, entanglement, entrapment and through the panic they can cause. The flame within sky lanterns can also pose a fire hazard. Both are also a potential source of litter and waste in our environment. Over 50 councils in the UK have already implemented a ban.

Milton Keynes Council is furthermore committed to the reduction of single use plastics.

This report seeks approval to:

- Prohibit sky lantern and balloon releases from council owned land;
- Adopt a code of conduct that discourages all staff and members from supporting sky lantern and mass balloon releases through funding or officer time; and
- Communicate the code of conduct and encourage others to follow suit;

**1. Recommendation(s)**

1.1 That sky lantern and balloon releases be prohibited from Milton Keynes Council owned land with the following exceptions:

- (a) piloted hot air balloons are not covered by this Delegated Decision; and
- (b) helium balloons may also be permitted when used for research purposes, for example weather balloons, as long as supporting evidence is provided, identifying any risk and/ or any hazards to the environment and with any appropriate mitigation.

1.2 That a code of conduct be adopted that that discourages all staff and members from supporting sky lantern and mass balloon releases through funding or officer time.

1.3 That a review for the need for a ban on water borne lanterns be carried out should further evidence become available.

- 1.4 That the Code of Conduct be communicated to encourage others to follow suit.
- 1.5 That the number of comments in regard to Fireworks be noted and further work be undertaken to examine the implications of their use.

## 2. **Issues**

- 2.1 Balloon releases are often used as a method of fund raising for Charities or for celebration. There are two different forms of balloon available and used for balloon releases. The first is a foil or 'mylar' balloon. These are not biodegradable. The second type is a helium filled latex balloon, which is made from natural products and will eventually decompose under the right circumstances.
- 2.2 It is acknowledged that balloon releases can play an important part of a Charity fund raising event, but the environmental impacts need to be considered further.
- 2.3 Generally, on release, a balloon will raise to a height of about 5 miles where the pressure and temperature cause the balloon to burst and the small fragments will float back down to ground or sea and degrade naturally.
- 2.4 However, a small percentage of the balloons released will be flawed or develop leaks and not attain an altitude high enough for them to burst. They will return to land or sea intact and can have a detrimental impact on the environment.
- 2.5 Sky lanterns remain at around 100m and should extinguish before descending. Sky lanterns produced since 2014 should be manufactured and supplied to The Trading Standards Institute manufacture and supply code of practice for sky lanterns. This was developed following a DEFRA funded consultation in 2012-13.

### Environmental Impact

- 2.6 Mylar or foil balloons do not biodegrade (single use material) and will litter the environment for years to come. Latex balloons can decompose over a period of 6-12 months if conditions are favourable. Organisations such as the Marine Conservation Society have stated that species of wildlife such as Dolphins, Whales, Turtles, Seabirds and other animals have been killed by balloons. Deflated balloons can block animals' digestive tract when swallowed or animals can become tangled in string or ribbons, attached to balloons, affecting their ability to feed.
- 2.7 The Marine Conservation Society, the RSPCA, the Tidy Britain Group, CLA and the National Farmers Union share the view that balloon releases and sky lanterns should be prohibited in the UK given the evidence of the harm they cause to wildlife and the aesthetic damage to the environment.
- 2.8 The Chief Fire Officers' Association in 2013 called for an urgent review on the use of the floating paper lanterns as they operate in an unregulated and uncontrolled way.

- 2.9 Some Local Authorities have taken the step of banning balloon releases from their land (e.g. East Lothian Council, Worcester City Council, Worcester County Council, West Dorset District Council, South Tyneside Council, Canterbury City Council, West Oxfordshire District Council).

National Balloon Association Advice

- 2.10 As indicated, balloon releasing can play an important role in promoting and raising funds for Charities and other organisations. In addition, many companies rely on balloon releases continuing for their income and survival.
- 2.11 NABAS (the balloon association) do publish a Code of Conduct for mass balloon releases.

Civil Aviation Authority (CAA)

- 2.12 The CAA in CAP 736 (Operation of Directed Light, Fireworks, Toy Balloons and Sky Lanterns within UK Airspace) details the requirements in relation to balloon and sky lantern releases and notification periods.
- 2.13 The notification zone for Cranfield Airport extends into the Borough of Milton Keynes.

Water Borne Lanterns

- 2.14 The evidence base is poorly documented regarding the environmental impact from materials used in manufacture due to variability in design and construction of floating lanterns. There are risks associated with them becoming caught in flammable reed beds or other marginal planting. They have been implicated in the obstruction of channels and watercourses. Fire risk can be reduced by use of LED lighting. Retrieval of floating lanterns released following an event is a practical method of reducing pollution. The use of a floating boom to control dispersal will also aid retrieval.
- 2.15 The Parks Trust has confirmed that no balloon or sky lantern releases are permitted on land under their management.

Other Options Considered:

(a) **Do Nothing**

Balloon and sky lantern releases will continue to occur with on-going risk of environmental harm. It is unlikely that there will be a National ban on sky lanterns 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 that deaths of livestock and risks to arable crops could reduce local income, pressures on our fire and rescue services and our policy to actively support and encourage community action to reduce waste and littering the natural and built environment doing nothing is not a viable option.

(b) **A Ban through Legislative Powers**

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.

(c) **A Ban at certain Sites only or Phased Ban on Sites**

As control over direction of travel once released is not possible and there are risks over which there is no control – e.g. ingestion by or entanglement of wild animals, a partial or phased ban would not be effective. It will also not help with building the evidence base.

(d) **Add a Clause to Open space Licence Agreements**

This was considered but a large part of the effectiveness of this will come from communicating the risks and the alternatives. It will also not help with building the evidence base.

(e) **Only Adopt a Code of Conduct**

This will help to raise awareness and therefore be likely to reduce releases but will not be sufficient to prevent releases on land the Council hires out. It will also not help with building the evidence base.

(f) **Ban Lanterns but not Balloons**

Although this will reduce the risk from lanterns, it will not prevent the release of airborne litter where alternate methods of commemoration or celebration are available.

### 3. **Implications**

#### 3.1 Policy

(a) MK Sustainability Strategy 2019-2050

(i) Sustainable Principles – Circular Economy.

(b) Waste Strategy 2017-2022

(i) Priority 2 Communication and Education

(c) Council Key priorities:

(i) Waste

(ii) Environment

(d) Council Objectives

11.1 - Reduce litter

#### 3.2 Resources and Risk

Resources required to deliver this ban are low level in terms of officer time to state the negative impact of balloon and sky lantern releases, communicate the code of conduct (attached at **Annex B**), encourage adherence, offer alternatives and include a clause within hire agreements with the Council.

If terms of event licencing are found to have been breached i.e. if someone reports a release on Council land then the enforcement would be delivered through refusal to allow that person/organisation to hire in the future. This could have financial implications however this outcome is considered a low risk as there are many alternatives to sky lanterns and mass balloon releases.

|   |         |   |                  |   |                  |
|---|---------|---|------------------|---|------------------|
| N | Capital | N | Revenue          | N | Accommodation    |
| N | IT      | N | Medium Term Plan | N | Asset Management |

### 3.3 Carbon and Energy Management

No impact. However, the proposal does share principles of environmental sustainability and environmental protection best practice in line with the aims of the 2019-2050 Sustainability Strategy.

### 3.4 Legal

Legislation does not prohibit the release of balloons and sky lanterns and therefore there are no legal requirements to be complied with.

There are no legal implications by approving the recommendation.

### 3.5 Other Implications

This decision is not significant or relevant in regard to equality issues

|   |                      |   |                |   |                    |
|---|----------------------|---|----------------|---|--------------------|
| N | Equalities/Diversity | Y | Sustainability | N | Human Rights       |
| N | E-Government         | Y | Stakeholders   | N | Crime and Disorder |

Background Papers:  
(Available on request)

Sky lanterns and helium balloons: an assessment of impacts on livestock and the environment – ADAS for DEFRA.

Industry Code of Practice – Sky Lanterns – Trading Standards Institute.

CAP 736 (Operation of Directed Light, Fireworks, Toy Balloons and Sky Lanterns within UK Airspace) - Civil Aviation Authority

Position Statement June 2013 - Chief Fire Officers Association.

The intentional outdoor release of balloons and Chinese/sky lanterns pollution policy and position statement – The Marine Conservation Society

Balloon Releases V1.1 – RSPCA

Sky Lanterns - NFU

Guidelines and Code of Conduct – NBAS The Balloon Association.

[www.1000lights.com](http://www.1000lights.com) – Example water lantern festival.

<http://www.floatinglanternmemorials.com/general-f-a-qs/>

Annexes:

- Annex A** Additional clause for Public Open Space Event Licence agreements
- Annex B** Proposed Code of Conduct Clause
- Annex C** Balloon and Sky Lantern Consultation Responses 10.12.18 - 4.2.19