

ABERDEEN CITY COUNCIL

COMMITTEE	FINANCE, POLICY AND RESOURCES
DATE	20 SEPTMBER 2017
REPORT TITLE	POLICY PROHIBITING BALLOON, LANTERN AND SIMILAR RELEASES
REPORT NUMBER	CHI/17/173
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1. PURPOSE OF REPORT

- 1.1 The report's purpose is to highlight the risks and consequences of uncontrolled release of items, including balloons and lanterns, on the economy and environment and seek approval for a policy prohibiting the practice from activities associated with Aberdeen City Council ("Council").

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee agrees:-

- a) to approve the Council policy (Appendix 1) prohibiting the intentional, uncontrolled release of balloons, lanterns and other items from Council property, by Council staff and at events endorsed or supported by the Council, including those on non-Council property; and
- b) to instruct the Head of Planning and Sustainable Development to raise awareness across the Council of the economic and environmental risks and consequences of such releases and promote alternatives.

3. BACKGROUND

3.1 Introduction

- 3.1.1 The intentional, uncontrolled release of items into our general environment (air, land and waters) have increased in recent years, especially balloons and sky lanterns. This policy highlights the hazards that the release of such uncontrolled items can pose to wildlife and livestock causing injury and death.

Lanterns can also cause injury to humans, damage to buildings and interfere with Coastguard and Civil Aviation Authority (CAA) activities. Balloon, lantern and other debris litter beaches and oceans resulting in clean-up costs.

- 3.1.2 This policy focuses on the intentional, uncontrolled release of items, including balloons and lanterns, into the general environment; air, land and water, from Council owned property, by Council employees and at Council endorsed or supported events, including those not on Council owned property.

3.2 Policy and legislative position

- 3.2.1 The intentional, uncontrolled release of items into the environment could be considered contrary to the Council's Environmental Management Policy, which states: "Aberdeen City Council will conduct its business responsibly to protect the environment ...; Wherever we operate, we will carry out our business with respect and care for both the local and global environment; We aim to reduce our carbon and ecological footprint and lead by example for the wider community to ensure a better quality of life for everyone."

- 3.2.2 The intentional and uncontrolled release of items into the environment could be considered an offence under Section 87 of the Environmental Protection Act 1990, which states: "it is an offence to throw down, drop or otherwise deposit and then leave litter in a public open place." Councils have powers to enforce the Act with fixed penalty notices. This highlights the powers available to the Council on this matter; it is not suggested the Council take this approach with regards to enforcing this Policy – refer to section 6.3.2.

3.3 Position of other authorities and partners

- 3.3.1 Fifty UK councils have a balloon and / or lantern release policy including Aberdeenshire, Angus, Argyll and Bute, Dundee City, Highland and ten other Scottish Councils. Regional authorities in Canada, the US and Australia have prohibited balloon releases. Lantern releases are prohibited in Australia, Malta, Vietnam, Spain, and most parts of Germany and all Austria.

- 3.3.2 Keep Scotland Beautiful, National Farmers Union, Scotland (NFUS), Royal National Lifeboat Institution, Royal Society for the Protection of Birds, the Marine Conservation Society (MCS) and KIMO (International Environmental Organisation for Local Authorities) all call for prohibitions. The Council is a key member of Keep Scotland Beautiful and founder member of KIMO.

3.4 Evidence of hazard and harm

- 3.4.1 Stray items pose choking threats to wildlife and livestock, cause false call outs to the Coastguard and interfere with Civil Aviation Authority activity. Moreover, lanterns pose fire hazards to dry standing crops, stacks of hay or straw, forestry and farm buildings, and thatched cottages. Examples of such incidents are blazes at a recycling plant in the Midlands and a caravan park in Worcestershire, both attributed to lanterns.
- 3.4.2 The National Farmers Union, Scotland (NFUS) staff and members have reported finding lantern remains on or near farmland in Renfrewshire, Bute, Aberdeenshire and elsewhere. While injury to animals or damage to property has yet to be reported in Scotland, the fear of the NFUS is that this is just a matter of time.
- 3.4.3 The following species, all of which frequent waters off the UK, have been reported with balloons in their digestive system: Common Dolphin, Risso's Dolphin, Loggerhead Turtle, Leatherback Turtle, Blue Shark and Northern Fulmar. The Common Dolphin, Risso's Dolphin and Northern Fulmar are all present off Aberdeen City and Shire coasts.
- 3.4.4 The Marine Conservation Society (MCS) coordinate regular beach cleans and litter surveys as part of their Beachwatch campaign on beaches throughout the UK. The MCS state that the average number of balloons and balloon pieces found on UK beaches on Beachwatch surveys almost tripled in 2011 when compared to figures in 1996. Their 2015 report notes "an astonishing rise in the amount of balloon related litter – up over 50% on 2015".
- 3.4.5 Neighbouring Aberdeenshire Council Ranger Service has led Beachwatch events on Aberdeenshire beaches since the 1990s. Evidence from Balmedie in 1996 shows that anything between six and 106 balloons or balloon pieces have been picked up during any one survey.
- 3.4.6 This policy includes degradable and biodegradable items as these do not always breakdown as intended. For example, once a latex balloon has been released, it can rise to a height of 5 miles where the pressure and the temperature cause the balloon to undergo 'brittle fracture'. The balloon pieces then fall back down. 5-10% of balloons released do not undergo this process, falling back down whole or partially deflated. These balloons pose a threat to wildlife through choking and entanglement. Degradable balloons are also not the solution, with these being shown to take a minimum of six months to breakdown fully, longer in marine environment.

3.5 Enforcement

- 3.5.1 The Council already operates an informal policy discouraging balloon and lantern releases. However, enforceability is limited. Implementation of this formal Council policy increases the options for enforcement, such as:
- 3.5.2 where an external party wilfully disregards the policy, the Service with an agreement with that party can address it under the terms of the agreement, i.e. terminating the agreement or not entering into future agreements.
- a) where a Council officer wilfully disregards the policy, in the course of their employment duties, this can be addressed by their manager in the context of the Council's Core Behaviours;

3.6 Alternatives

- 3.6.1 Balloon, lantern and similar releases are popular means of fundraising, commemoration and celebration. However, there are a number of viable alternatives that do not present the same negative outcomes.
- 3.6.2 These include, but are not limited to:
- a) Planting in remembrance – planting a tree or garden benefits the environment as well as providing a memorial which can be visited for many years.
- b) Flower water release – release of flowers or petals encapsulates a similar sense of farewell without the negative consequences, assuming the flowers are native and an appropriate quantity released.
- 3.6.3 More are provided by [Balloons Blow](#) and the [Marine Conservation Society](#).

4. FINANCIAL IMPLICATIONS

- 4.1 The proposal has the potential to reduce the costs to the Council and communities involved in litter picks and beach cleans.
No income will be generated from this policy as it is not intended that fixed penalty notices be issued as enforcement for non-compliance.

5. LEGAL IMPLICATIONS

- 5.1 With regards to this Policy, it is not suggested that the Council use its powers to issue fixed penalty notices under Section 87 of the Environmental Protection Act 1990 – refer to section 6.3.2 of this Report.
- 5.2 Land below the high water mark of ordinary spring tides is not covered by this Policy as it is generally not in the ownership of the Council.

6. MANAGEMENT OF RISK

6.1 Reputational

6.1.1 It is likely the Council will be portrayed in some media as ‘killjoys’ for preventing a perceived popular means of fundraising and celebration. The impact on the Council from this is not significant. To mitigate this risk, the Council will raise awareness of the negative consequences of the practice and promote alternatives (see Section 3.6). Low risk.

6.1.2 It is also likely that the Council risks reputational damage from other quarters if this policy is not approved. The Council may be seen by some to be less environmentally conscious, not delivering on its own commitments under its Environmental Management Policy Statement and not aligned to the aims of some of its key partner organisations. The impact to the Council from this is not considered significant. Approving this policy has the opportunity to further convey the Council’s commitment to the environment and enhance the city’s reputation as a clean and green city. Low risk.

6.2 Environmental

6.2.1 There is a likely risk to Aberdeen’s environment from not implementing this policy. Council officers regularly receive enquiries regarding balloon and lantern releases. Officers presently follow an informal policy of declining requests based on the Council’s commitments under its Environmental Management Policy Statement. Not implementing this formal policy raises the risk that this softer response is disregarded. The impact from this is not significant. It does present a medium risk.

6.3 Financial

6.3.1 There is not expected to be any risk under this heading.

6.4 Employee

6.4.1 There is not expected to be any risk under this heading.

6.5 Customer / citizen

6.5.1 There is not expected to be any risk under this heading.

6.6 Technological

6.6.1 There is not expected to be any risk under this heading.

6.7 Legal

6.7.1 There is not expected to be any further legal issues.

7 IMPACT SECTION

7.6 Economy

7.6.1 Implementation of this policy is one part of a larger puzzle of creating an attractive place for people to live, visit and invest.

7.7 People

7.7.1 The proposals in this report will not have a differential impact on people with protected characteristics.

7.8 Place

7.8.1 The Council, through its Strategic Business Plan Refresh 2017-18, has committed to: “strengthen the approach to environmental sustainability.”

7.8.2 The Council has made the following commitment under its Environmental Management Policy Statement: “Wherever we operate, we will carry out our business with respect and care for both the local and global environment.”

7.9 Technology

7.9.1 The subject matter of this report is not technology related and therefore there will be no impact on technology.

8 BACKGROUND PAPERS

8.6 Aberdeen City Council Environmental Management Policy Statement:
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=50732&SID=3321>

8.7 Process of balloon fragmentation – Keep Scotland Beautiful:
<http://www.keepsotlandbeautiful.org/media/1556461/balloon-and-flying-lantern.pdf> (accessed 12/06/17)

8.8 J.A. Van Franeker, 5 Small Facts About Balloons – Degradable balloons are not the solution: <http://www.wur.nl/en/Expertise-Services/Research-Institutes/marine-research/Dossiers/5-Small-facts-about-balloon-debris.htm> (accessed 12/06/17)

- 8.9 Smethwick fire: Chinese lantern 'caused largest blaze':
<http://www.bbc.co.uk/news/uk-england-birmingham-23123549> (accessed 12/06/17)
- 8.10 Worcestershire leisure park fire 'caused by Chinese lantern':
<http://www.bbc.co.uk/news/uk-england-hereford-worcester-25100406> (accessed 16/06/17)
- 8.11 List of animals with latex found in digestive systems –Keep Scotland Beautiful:
<http://www.keepsotlandbeautiful.org/media/1556461/balloon-and-flying-lantern.pdf> (accessed 12/06/17)
- 8.12 Increase in balloon debris found on beaches – Marine Conservation Society:
http://www.mcsuk.org/downloads/gbbc/2016/GBBC_2016_Report.pdf
(accessed 12/06/17)

9 APPENDICES

Appendix 1 – Policy Prohibiting Balloon, Lantern and Similar Releases

10 REPORT AUTHOR DETAILS

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