



# Cabinet Meeting

## 14 January 2015

<b>Report title</b>	Introduction of local controls regarding the use of Sky Lanterns	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Roger Lawrence Leader of the Council	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Tim Johnson, Education and Enterprise	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee(s)</b>	Colin Parr Tel Email	Licensing Manager 01902 550105 colin.parr@wolverhampton.gov.uk
<b>Report to be considered by</b>	Licensing Committee	18 March 2015

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### Recommendation(s) for action or decision:

The Cabinet is recommended to approve:

1. The review of the Statement of Licensing Policy to allow the Licensing Authority to restrict the use of sky lanterns at licensed premises under the public safety licensing objective.
2. The use of licensing controls to restrict the use of sky lanterns at approved marriage venues.
3. The inclusion of a condition in the terms of use for Council owned land (highways, parks, the piazza, etc.) that restricts the release of sky lanterns when land is hired for events.
4. The implementation of a local policy prohibiting/ limiting the use of sky lanterns at all Council organised events.
5. Lobby Government to introduce national controls on the use of sky lanterns.

## **1.0 Purpose**

- 1.1 To introduce local controls regarding the use of sky lanterns at Council run events, private events that are undertaken on Council owned land and seek to use licensing controls to curtail the use of sky lanterns on private sites i.e. licensed wedding venues and licensed premises.

## **2.0 Background**

- 2.1 Sky lanterns (known by a variety of names including Chinese lanterns) are small hot air balloons made of paper with an opening at the bottom where a small flame is maintained on a suspended base framework containing a fuel source.
- 2.2 They are intended to be launched into free flight, rising due to the enclosed hot air. Sky lanterns are intended to ascend and remain airborne for as long as they are filled with hot air. However evidence shows that lanterns often drift back to land, become entangled in cables or hit building structures whilst still alight.
- 2.3 The use of sky lanterns has increased dramatically over the last decade and the devices are now common at weddings, new year's eve celebrations and other public and private events.
- 2.4 Although there is little evidence to suggest that sky lanterns have caused problems within Wolverhampton, this is not the case across the region or nationally.

## **3.0 Concerns regarding the use of Sky Lanterns**

- 3.1 The Chief Fire Officers Association, National Farmers Union, Women's Farmers Union, Marine Conservation Society, Country Land Owners Association, RSPCA and RSPB are amongst those urging individuals to use alternatives to sky lanterns and to ask event planners and retailers to stop using these devices. A plea for Councils to use alternatives in their events and to ban releases of sky lanterns on their own land has also been issued by many of these organisations. Two professional bodies for events professionals - the Local Authority Events Organisers Group and the National Outdoor Events Association also support the introduction of a national ban on lanterns.
- 3.2 Internationally many countries have already taken steps to ban the use of sky lanterns due to concerns regarding their potentially hazardous nature. The UK government has not to date banned sky lanterns. However, 33 Councils so far have taken the decision to apply local controls to restrict their use.
- 3.3 In a nationwide survey in 2011, a third of Britain's Chief Fire Officers confirmed their services had received emergency callouts to extinguish fires caused by sky lanterns.
- 3.4 West Midlands Fire Service (WMFS) is calling for a review of legislation regarding the use of sky lanterns. This request comes as the service tackled one of the largest fires in the West Midlands, involving 100,000 tonnes of recycling material and causing an

estimated £6 million worth of damage. The fire was started by a sky lantern which landed at a plastics recycling plant in West Bromwich in 2013.

- 3.5 Sky lanterns may land when the flame is still alight presenting a fire hazard. In typical designs, as long as the lantern stays upright the paper should not get hot enough to ignite, but if the balloon is tilted (say, by the wind, by hitting an object, or becoming entwined); it may catch fire while still in the air. The paper structure of the lantern will usually burn in a few seconds, but the flame source may remain lit until the fuel is exhausted.
- 3.6 In addition to fire safety concerns the government have previously warned people not to use sky lanterns due to their effects on livestock and the countryside. The warning issued by the Department for Communities and Local Government stated “We recommend you do not use sky lanterns as you have no control over them once they have been set off. They can kill animals, litter the countryside and start fires.”
- 3.7 Campaigners including the Country, Land and Business Association have welcomed this guidance as a step forward, but have urged the Government to press ahead with a full ban.

#### **4.0 Proposals**

- 4.1 Following a series requests to the Council it is proposed to introduce local controls to restrict the use of sky lanterns.
- 4.2 This report proposes the following local controls are introduced:
- a. Cabinet to endorse the review of the Statement of Licensing Policy to allow the Licensing Authority to restrict the use of sky lanterns at licensed premises under the public safety licensing objective.
  - b. To use licensing controls to restrict the use of sky lanterns at approved marriage venues.
  - c. Inclusion of a condition in the terms of use for Council owned land (highways, parks, the piazza, etc..) that restricts the release of sky lanterns when land is hired for events.
  - d. Implementation of a local policy prohibiting/limiting the use of sky lanterns at all Council organised events.
- 4.3 It is also proposed to lobby government to introduce a ban on sky lanterns as opposed to leaving it to the discretion of local authorities to introduce local controls. Clearly, property, assets and lives in Wolverhampton could be endangered by the use of sky lanterns.

## **5.0 Consultation**

5.1 In formulating these proposals internal consultation has taken place with the relevant departments.

## **6.0 Financial implications**

6.1 There are limited staffing and no financial implications for the Council. The controls detailed above will be integrated into existing compliance processes rather than enforced pro-actively.

6.2 It is possible that alternative venues may be chosen by persons potentially wishing to use sky lanterns, however based on current uses of Council owned venues this is considered unlikely. [MF/19122014/L]

## **7.0 Legal implications**

7.1 Any legal implications are contained within the body of the report. Licensing Services have consulted with Legal Services in the development of the recommendations and Legal Services have endorsed the proposed approach.  
[SH/17/12/2014/E]

## **8.0 Equalities implications**

8.1 This report has no equalities implications.

## **9.0 Environmental implications**

9.1 This report has environmental implications. The use of sky lanterns has been shown to have negative consequences to animal welfare.

## **10.0 Corporate landlord implications**

10.1 This report has potential corporate landlord implications as the restrictions on the use of sky lanterns will potentially provide a higher degree of protection for Council assets.

## **11.0 Schedule of background papers**

11.1 None.