

NORTH LINCOLNSHIRE COUNCIL

CABINET MEMBER ENVIRONMENT & STRATEGY

Activity on Council Owned Land

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To approve the prohibition of releasing balloons, sky lanterns and fireworks (definition at appendix 1) on Council owned land.
- 1.2 To approve the prohibition of gifting live animals as prizes at events on Council owned land.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council is committed to ensuring we have cleaner, greener and safer places and spaces for our residents and visitors to enjoy.
- 2.2 Prohibiting the release of sky lanterns, fireworks, balloons and the use of live animals as prizes at events has been a concern for many local authorities, this has been supported by, amongst others, the RSPCA, the National Farmers Union, the Civil Aviation Authority, the Marine Conservation Society and some Fire Services.
- 2.3 Sky lanterns, sometimes known as ‘Chinese lanterns’ or ‘Kong Ming lanterns’ are any unmanned device which relies on an open flame or other heat source to heat air within it with the intention of causing it to lift into the atmosphere. Once released sky lanterns travel completely uncontrolled and they therefore pose a risk of fire to anything they encounter. Indeed, they have been cited as the cause of some significant fires, the most notable being a ‘major incident’ fire at a recycling plant in Smethwick in July 2013

A more recent ‘major incident’ occurred on New Year’s Eve 2019 at a zoo in Germany that killed more than 30 animals - Sky Lantern Fire at Zoo in Germany
- 2.4 In relation to the use of live animals as prizes:

The Animal Welfare Act was introduced in England and Wales in 2006, in a bid to improve animal welfare across the two countries. While this

legislation remains one of the most important pieces of legislation ever introduced for animals, it could go further in protecting the welfare of pets currently issued as prizes.

Under Section 11 of the Act - Transfer of animals by way of sale or prize to persons under 16 - it is an offence to give an animal as a prize to anyone under the age of 16 unless they are accompanied by someone over the age of 16 or it is within the family context.

3. OPTIONS FOR CONSIDERATION

3.1 To approve the prohibition of sky lanterns, fireworks, releasing of balloons and the giving of live animals as prizes on Council owned land.

4. ANALYSIS OF OPTIONS

4.1 This is the preferred option as the Council recognises:

- the fire hazard associated with the use of sky lanterns, fireworks and balloons, which can potentially lead to the loss of life, damage to property, risk to wildlife and farm animals and increase the pressure on the police, fire service and medical emergency services.
- the potential that the giving of live animals as prizes could have on the welfare of these animals being compromised.

4.2 By issuing an outright ban of such activities on all Council owned or operated land and properties, the Council will send a clear message of its commitment to ensure the welfare of human life, animals, the environment, and property, and help reinforce the message that these practices are no longer desirable in our community.

Balloon refers to any inflatable flexible bag filled with gas, such as helium, hydrogen, nitrous oxide, oxygen, or hot air, made from materials such as rubber, latex, natural latex, paper, polychloroprene, foil, mylar or nylon fabric.

4.3 Inclusion of the new condition in event hire licences should prevent the release and sale of fireworks, lanterns, balloons and the giving of live animals as prizes from those events held on Council land.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 A standard clause is to be inserted in the licences and hiring terms and conditions which sets out clearly that the sale and release of fireworks, balloons and sky lanterns or gifting of animals as prizes, in

Council owned, or managed land and premises is prohibited because they can potentially lead to; loss of life; damage to property; risk to wildlife and farm animals, and increase in pressure on the police, fire service and medical emergency services, and that the prohibition is reasonable.

Where it is not possible to amend existing contractual arrangements, these will be addressed whenever a renewal or new contract is put in place for a lease, license or hire arrangement.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 Currently, there is no legal process of imposing a fine on people who are in breach of this ban. The only recourse is to revoke their licences or hire agreement and evict them for breach of such a ban.

6.2 The Council has made a commitment to be a carbon net zero organisation by 2030 and to ensure that the local natural environment is protected, enhanced and self-sustaining, the banning of these activities will have a positive impact on the Councils commitment through our Green Futures Plan.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 A stage one IIA has been undertaken with a positive impact for residents and Place.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 Consultation has taken place across the Council and with outside agencies. Any comments received have been considered and included in the report.

9. RECOMMENDATIONS

9.1 That cabinet member approves the banning of the release and sale of fireworks, balloons, and sky lanterns on Council land and property.

9.2 That the cabinet members approve the banning of the gifting of live animals as prizes at any event on Council land.

9.3 That Cabinet grants the Director of Economy and Environment delegated power to introduce a new condition into the Council's event hire licences, banning the release and sale of sky lanterns, fireworks, and balloons and the giving of live animals as prizes.

DIRECTOR OF ECONOMY AND ENVIRONMENT

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Background Papers used in the preparation of this report – RSPCA Report

Appendix 1

Firework definition:

“a device containing [gunpowder](#) and other [combustible](#) chemicals which causes spectacular effects and explosions when [ignited](#), used for display or in celebrations”