

Report to: Cabinet



Date of Meeting 13 July 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Revised policy on the release of lanterns, balloons and fireworks on Council land

Report summary:

There is an urgent need for clarity on the council's position on these items, which is held up by the much more complex policy on drones. This report and the attached proposed policy seek to resolve this.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

Cabinet are asked to approve the separation of Helium Balloons, Fire Lanterns and Fireworks from the Drones Policy, and to approve the separate policy attached.

Reason for recommendation:

As per the summary there is an urgent need for clarity on these items.

Officer: Peter Blyth, Beach Safety Officer pblyth@eastdevon.gov.uk 07734 568866

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk

Links to background information [Helium Balloon, Fire Lanterns and Fireworks Policy / Procedure – Version 3 - April 2022](#)

[Link to Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1 Background

1.1 It is recognised that this issue came before Cabinet in late 2019 leading to Fire Lanterns being added to the Drones Policy - (oddly Balloons seems to have been missed)

However, the January 2020 Overview committee resolved this reference be deleted.

In February 2020, Cabinet resolved that Fireworks above 90 Db be added to the same clause.

On 4th March 2020, Cabinet resolved to send the issue back to Overview in light of the January decision to remove said clause.

However, the arrival of the pandemic put all these issues on the back burner and the disconnect between Cabinet and Overview positions was not resolved.

1.2 Additionally the Drones Policy itself is held up as we await the Commercial Aviation Authorities review of their current [Drone Flight regulations](#). The review has been delayed by the pandemic.

1.3 Together these issues are putting front line staff in an untenable position of not knowing whether the items, especially fireworks, are banned or not, with some members insisting that the February 2020 decision is binding, and others insisting that a ban cannot be implemented without a policy behind it. We also have little clarity to offer Town Councils and other applicants who wish to hold displays.

To recap the reasons why such a ban is proposed:

1.4 **Balloons:** Debris from balloon releases has increased 200% since 2007. Over the sea, they pose a serious hazard to marine life, getting trapped in the throats of sea turtles and dolphins causing them to either drown or starve. They also offer a serious entanglement hazard to seabirds.

If blown inland they become litter, with the obvious clean-up costs associated and pose a choking and entanglement hazard for livestock and wildlife.

The Marine Conservation Society is asking all local authorities to ban the mass release of helium balloons with 65+ councils already having done so.

In addition, Helium is a finite and increasingly scarce resource with many more serious demands, such as use as coolant in medical equipment and industrial applications. It is therefore irresponsible to allow it to be wasted on displays.

1.5 **Fire lanterns:** Have the same impact on Marine life and terrestrial wildlife / livestock as balloons, but also pose a significant fire hazard to property as was demonstrated by the serious fire at Dresden Zoo on New Year's Day 2020 in which 30 animals died.

East Devon has many thatched properties, boat yards with flammable sails and fuel, and an internationally important Heathland Complex at the Pebblebed heaths all of which are very vulnerable to fire damage.

- 1.6 **Fireworks:** The RSPCA via their [#bangoutoforder campaign](#) are asking for noisy fireworks to be banned at a national level, and asking all local authorities to prohibit their use from their land. Their surveys show that 62% of dogs, 54% of cats, and 55% of horses suffer distress during nearby displays. Additionally there is a substantial impact on wildlife, most pertinently for us, at Exmouth where we have an internationally important wintering bird assemblage of the Exe estuary, which are vulnerable to noise disturbance especially between September to December.

2 **Recommendation**

The connection between these items and Drone flight is tenuous at best since Drones are not a disposable item, nor a pyrotechnic, their only similarity being that they go up in the air and can cause disturbance.

Therefore, given the complexities around the Drone Policy and the urgent need to resolve this issue and honour the intention of the February Cabinet decision, it is recommended that instead of adding items to the Drone Policy, Cabinet are asked to approve a separate policy for Helium Balloons, Fire Lanterns and Fireworks (draft attached).

The key points being:

- The release of helium balloons from our land is prohibited (with an exception for exceptional circumstances such as weather balloons for scientific research).
- The release of fire lanterns from our land is prohibited.
- Fireworks displays on our land will only be permitted if they use only fireworks below 90Db (aka silent fireworks) as per the RSPCA recommendation and the 2020 motion.

Financial implications:

There are no apparent financial implications in the recommendations to comment on.

Legal implications:

There is no issue having separate policies and it is permissible for the Council to seek to control releases from our land in the way advocated.