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To: Chair & Members of the Climate
Change and Communities Scrutiny
Committee

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Friday, 4th November 2022

Dear Councillor

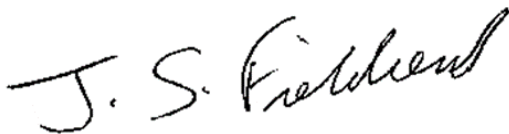
CLIMATE CHANGE AND COMMUNITIES SCRUTINY COMMITTEE

You are hereby summoned to attend a meeting of the Climate Change and Communities Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Tuesday, 15th November, 2022 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on pages 3 and 4.

Yours faithfully

A handwritten signature in blue ink, appearing to read "J. S. Fieldhead".

Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246 242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

CLIMATE CHANGE AND COMMUNITIES SCRUTINY COMMITTEE AGENDA

***Tuesday, 15th November 2022 at 10:00 hours taking place in the Council Chamber,
The Arc, Clowne***

Item No.		Page No.(s)
	<u>PART A - FORMAL</u>	
1.	Apologies for Absence	
2.	Urgent Items To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of: a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes To consider the minutes of the last meeting held on 11 th October 2022.	5 - 8
5.	List of Key Decisions and Items to be Considered in Private <i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information. NB: If Members wish to discuss an exempt report under this item, the meeting will need to move into exempt business and exclude the public in accordance with the Local Government (Access to Information) Act 1985 and Local Government Act 1972, Part 1, Schedule 12a for that part of the meeting only).</i>	9
6.	Sustainable Community Strategy 2020-23 and current Partnership delivery - Monitoring Update	VERBAL REPORT
7.	Review of Council Policy on Sky Lanterns and Helium Balloons	10 - 33

8. **Climate Change & Communities Scrutiny Committee Work Programme 2022/23** 34 - 40

PART B - INFORMAL

9. **Review Work**

CLIMATE CHANGE & COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Climate Change & Communities Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Tuesday 11th October 2022 at 10:00 hours.

PRESENT:-

Councillor Nick Clarke in the Chair

Members: Councillors Anne Clarke, David Dixon, Evonne Parkin and Jen Wilson.

Officers: Matt Finn (Environmental Health Service Manager – Commercial & Environment) and Joanne Wilson (Scrutiny & Elections Officer).

CLI23-22/23 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Dexter Bullock and Deborah Watson, and Ken Eastwood (Joint Assistant Director Environmental Health Service).

CLI24-22/23 URGENT ITEMS OF BUSINESS

There were no urgent items of business.

CLI25-22/23 DECLARATIONS OF INTEREST

There were no declarations of interest made.

CLI26-22/23 MINUTES OF MEETING HELD ON 12TH JULY 2022

Moved by Councillor David Dixon and seconded by Councillor Evonne Parkin.

RESOLVED that the Minutes of a Climate Change & Communities Scrutiny Committee held on 12th July 2022 be approved as a correct record.

CLI27-22/23 MINUTES OF AN EXTRAORDINARY MEETING HELD ON 26TH JULY 2022

Moved by Councillor David Dixon and seconded by Councillor Evonne Parkin.

RESOLVED that the Minutes of an Extraordinary Climate Change & Communities Scrutiny Committee held on 26th July 2022 be approved as a correct record.

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CLI28-22/23

LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

Committee considered the List of Key Decisions and items to be considered in private document.

Moved by Councillor Nick Clarke and seconded by Councillor Jen Wilson.

RESOLVED that the List of Key Decisions and items to be considered in private document be noted.

CLI29-22/23

REVIEW OF COUNCIL'S POLICY ON SKY LANTERNS AND HELIUM BALLOONS - BRIEFING FROM OFFICERS

The Scrutiny & Elections Officer introduced the item reminding Members of the work completed to date by the previous Healthy, Safe, Clean & Green Communities Scrutiny Committee and initial discussions by this committee.

The Environmental Health Service Manager (Commercial & Environment) briefed Members on the dangers of sky lanterns and balloon releases and the associated impacts. The points raised mirrored the evidence gathered to date by both scrutiny committees. It was also noted how the Council could have a role in awareness raising and promotion of safer alternatives.

Cllr Jen Wilson noted that as a landowner the impact was particularly horrendous affecting livestock and hay bales.

Cllr Anne Clarke noted that where there was a large number of sky lanterns released at night it was easy for the lights to be mistook for aircraft.

The officer suggested that a possible course of action was to propose a Charter rather than a Policy, as a statement of intent by the Council as to its approach locally. Without national legislation clearly giving local authorities scope to act and protect their areas, this was considered the best action the Council could take, and was deliverable by the service.

Members thanked the officer for the briefing and resolved to take on board the advice given and amend draft recommendations accordingly.

Moved by Councillor Nick Clarke and seconded by Councillor Anne Clarke.

RESOLVED that the briefing be noted.

CLI30-22/23

REVIEW OF COUNCIL POLICY ON FIREWORKS: POST-SCRUTINY MONITORING (INTERIM REPORT)

The Scrutiny & Elections Officer briefed Members on overall progress to date. Three out of four recommendations had been achieved and one had been extended but should hopefully complete within the original twelve month monitoring period. It was noted that while the lobbying letter had been sent by the Portfolio Holder, no response

CLIMATE CHANGE & COMMUNITIES SCRUTINY COMMITTEE

had been received to date, presumably due to the personnel changes within Government. The letter would be resent to both the Secretary of State for Business, Energy and Industrial Strategy, and the local MP.

The Environmental Health Service Manager (Commercial & Environment) briefed Members on progress against the four recommendations. In relation to recommendations one and two, the Registration Scheme had now launched and a range of communications taken place. This would now be revisited due to the time of year and events being planned to ensure both public and event organisers were aware of health and safety risks. It was noted, however, the deadline for registering for the scheme for November 2022 had passed. In relation to recommendation four it was noted that officers had met with the Police and an agreement in principle had been made on powers that could be granted under a Community Safety Accreditation Scheme. This work was progressing and would be reported back in due course.

Cllr David Dixon noted that a notice had gone out to parishes in relation to the Event Accreditation Scheme but he was not aware of any local plans in Barlborough.

The Environmental Health Service Manager noted that only one application had been received so far. He noted that some event holders were likely to be happy with their current processes and did not want to pursue the Accreditation. As the Scheme was voluntary this was beyond the Council's control.

Cllr Anne Clarke noted they would raise the issue with Old Bolsover Town Council for their forthcoming event.

Moved by Councillor Jen Wilson and seconded by Councillor Anne Clarke.

RESOLVED that (1) Members note the progress against the review recommendations,

(2) Members acknowledge the exceptions to delivery and the additional action required by the service,

(3) Members make its report and findings public, in accordance with Part 4.5.17(4) of the Constitution,

(4) officers continue to implement the recommendations and submit a final report in six months' time highlighting exceptions to delivery.

(Scrutiny & Elections Officer)

Councillor Anne Clarke briefly left the meeting at this point.

CLI31-22/23

REVIEW OF VOLUNTARY & COMMUNITY SECTOR GRANT ALLOCATIONS – EXECUTIVE RESPONSE

The Scrutiny & Elections Officer presented the Executive Response to the final review report to Members. All recommendations had been approved and the report would now move in to the monitoring phase reporting on progress against the recommendations in six and twelve months' time.

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It was noted that there had been a query over recommendation 12 and whether the monitoring reports for the grant allocations should come to scrutiny. Members were informed that the Scrutiny & Elections Officer and Cllr David Dixon had advised Executive that whilst this had been an initial consideration for scrutiny, on consultation with Executive & Partnerships team it was felt that the existing process of reporting to Executive and Council met expectations.

Moved by Councillor Jen Wilson and seconded by Councillor Evonne Parkin.

RESOLVED that (1) Members note Executive's Response to the Review of Voluntary & Community Sector Grant Allocations,

(2) Members make its report and findings public, in accordance with Part 4.5.17(4) of the Constitution,

(3) officers monitor progress on the recommendations and report in six and twelve months' time highlighting exceptions to delivery, in accordance with Part 3.6(1) of the Constitution.

(Scrutiny & Elections Officer)

Councillor Anne Clarke re-joined the meeting during this item.

CLI32-22/23 WORK PROGRAMME 2022/23

Committee considered their proposed work programme for 2022/23. Members agreed to add an additional item on climate change and progress against the Carbon Reduction Plan. Members suggested the option of both additional informal meetings and formal agenda items for either November 2022 or January 2023. The Scrutiny & Elections Officer agreed to liaise with relevant officers on future meeting dates.

Councillor Evonne Parkin noted her apologies in advance for the January meeting.

Moved by Councillor Jen Wilson and seconded by Councillor Anne Clarke

RESOLVED that the Work Programme 2022/23 be approved and noted.

(Scrutiny & Elections Officer)

The formal part of the meeting concluded at 10:40 hours and Members then met as a working party to continue their review work. The Informal meeting closed at 10:49 hours.



List of Key Decisions and items to be considered in private

The latest version of the Forward Plan can be found here:

<https://committees.bolsover.gov.uk/mgListPlans.aspx?RPId=1147&RD=0&bcr=1>

Members should contact the officer whose name appears on the List of Key Decisions for any further information.

NB: If Members wish to discuss an exempt report under this item, the meeting will need to move into exempt business and exclude the public in accordance with the Local Government (Access to Information) Act 1985 and Local Government Act 1972, Part 1, Schedule 12a for that part of the meeting only.

Bolsover District Council

Climate Change & Communities Scrutiny Committee on 15th November 2022

Review of Council Policy on Sky Lanterns and Helium Balloons

Report of the Chair of Climate Change & Communities Scrutiny Committee

Classification	This report is Public
Report By	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk
Contact Officer	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To present to Scrutiny the completed report for the recent Review of Council Policy on Sky Lanterns and Helium Balloons

REPORT DETAILS

1. Background

- 1.1 During the 2020-21 municipal year, Members of the Healthy, Safe, Clean & Green Communities Scrutiny Committee were made aware of a number of resident concerns in relation to the impact of sky lantern and balloon use, both at specified celebrations such as birthdays/family and community events; Bonfire night and New Year's Eve.
- 1.2 Following referrals from the Customer Standards & Complaints Officer and the Leader of the Council, Members chose to investigate further to establish what the Council could do to mitigate the impacts at a local level.
- 1.3 While Members of Climate Change & Communities Scrutiny could not take this forward during 2021/22 due to workloads, there was a commitment to finish this piece of work and ensure the Council had adequate local policies in place.

2. Details of Proposal or Information

- 2.1 This review was originally agreed by the previous Healthy, Safe, Clean and Green Communities Scrutiny Committee as part of their 2020-21 work programme. Following the change in scrutiny structure for 2021-22, the Members of the new Committee agreed to carry this work forward with a view to clarifying the Council's stance and addressing residents' concerns previously identified.

- 2.2 While the Committee have taken the review forward in a slightly different manner to that originally agreed, the impact of the Covid-19 pandemic on workloads, and evidence gathered has instigated the need for a different approach.
- 2.3 Members feel the evidence considered in the subsequent pages and the recommendations agreed by Scrutiny should bring about further improvements at a local level, while we await further changes to national legislation as a result of continued lobbying.
- 2.4 The aim of the review was:
- To assess the local impact of Sky Lanterns and Helium Balloons and review local Council policy.

The objectives agreed were:

- Assess national campaigns and neighbouring authorities and consider replicating a similar charter/policy for BDC.
 - Assess the scale of the local environmental impact via consultation with both residents and local agencies/groups.
- 2.5 The key issues identified for investigation were as follows:
- A number of complaints/comments are received per annum from residents in relation to the use of such items and the environmental damage caused. All communications received refer to the national campaigns. Members queried if it was possible to establish evidence of the scale of the issue at a District level using data held by environmental health and legal services.
 - A number of national organisations have given weight to a national campaign for legislation changes.

3. Reasons for Recommendation

- 3.1 The Committee have put together five recommendations which will hopefully assist the Council in limiting the impact of local use of sky lanterns and helium balloons.
- 3.2 The key findings arising from the review are:
- That there is limited additional impact we can have at a local level due to current national legislation, however designating restrictions on use on council land will bring us in line with over 50% of English councils.
 - To ensure service delivery remains efficient and effective across the board, Members advise that BDC aligns its approach with that of neighbouring authorities as this will allow officers in the joint Environmental Health Service to take a proportionate and appropriate approach to enforcement and advice/guidance, within the Fire Service area.

4 Alternative Options and Reasons for Rejection

- 4.1 While the number of contacts over recent years has been limited, Members felt that further action could be taken to bring the approach of BDC in line with that taken at neighbouring authorities. This should enable a more streamlined service and create efficiencies for the team. As such a 'do nothing' option was discounted.
- 4.2 Executive could choose not to endorse the recommendations of the review, where they feel the course of action recommended is beyond the delivery capacity of the Authority.

RECOMMENDATION(S)

1. That the Committee endorses the recommendations of the review outlined in section 2 of the attached report.
2. That Committee submits the report to Executive for approval, in accordance with the Scrutiny Committee Terms of Reference – Part 3.6 (3) of the Constitution.
3. That following approval by Executive, monitoring of these recommendations by Committee takes place over a twelve month period via the PERFORM system with an update report to Committee at the end of the monitoring period.

IMPLICATIONS:

Finance and Risk: Yes ☐ No ☒

Details:

None from this report. Suggested action for the Council can be contained within existing budgets.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

On behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

There are no staffing implications from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Relevant Service Managers and Portfolio Holder engaged during the review process.

Links to Council Ambition: Customers, Economy and Environment.
Ambition: Environment

DOCUMENT INFORMATION	
Appendix No	Title
7.1	Review of the Councils Policy on Sky Lanterns and Helium Balloons

Background Papers <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
Please contact Scrutiny & Elections Officer where further information is required.



**Review of Council Policy on Sky
Lanterns and Helium Balloons
December 2020 – October 2022
CLIMATE CHANGE & COMMUNITIES
SCRUTINY COMMITTEE**

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Chair's Foreword

This review was originally agreed by the previous Healthy, Safe, Clean and Green Communities Scrutiny Committee as part of their 2020-21 work programme. Following the change in scrutiny structure for 2021-22, the Members of the new Committee agreed to carry this work forward with a view to clarifying the Council's stance and addressing residents' concerns previously identified. While we could not accommodate this as part of the 2021-22 programme we committed to completing the work within the four-year municipal cycle.

While we have taken the review forward in a slightly different manner to that originally agreed, the impact of the Covid-19 pandemic on service delivery has instigated the need for a different approach.

Members feel the evidence considered in the subsequent pages and the recommendations agreed by Scrutiny should bring about further improvements at a local level, while we await further changes to national legislation as a result of continued lobbying.

Cllr Nick Clarke
Chair of the Climate Change & Communities Scrutiny Committee

1. Introduction

During the 2020-21 municipal year, Members of the Healthy, Safe, Clean & Green Communities Scrutiny Committee were made aware of a number of resident concerns in relation to the impact of sky lantern and balloon use, both at specified celebrations such as birthdays/family and community events; Bonfire night and New Year's Eve.

Following referrals from the Customer Standards & Complaints Officer and the Leader of the Council, Members chose to investigate further to establish what the Council could do to mitigate the impacts at a local level.

Members asked for a breakdown showing the number of contacts over recent years. In relation to the release of lanterns/balloons and the Council's Policy on the matter, the Council has received a number of requests from the public over the last few years for Members to consider:

	No. of Comments/Complaints Received
2022/23	0
2021/22	0
2020/21	7
2019/20	3
2018/19	2
2017/18	2

While the volume of comments/complaints received is low, Members are aware that this is an emotive issue that causes great issues for landowners. Members were mindful that whilst there is limited national legislation in relation to these environmental issues, at a local level we would be limited in what else we can put in place. This is likely to be limited to action on council-owned land and property.

While Members of Climate Change & Communities Scrutiny could not take this forward during 2021/22 due to workloads, there was a commitment to finish this piece of work and ensure the Council had adequate local policies in place.

The risks associated with sky lanterns

Sky lanterns are usually used in Britain to mark special celebrations such as weddings, parties and New Year, but many people are not aware of the dangers they can cause.

Essentially a small hot air balloon made of paper, with an opening at the bottom where a candle is suspended, sky lanterns, or Chinese lanterns as they're also known, can float for miles before they fall to the ground, potentially causing a danger to animals and a fire hazard.

Litter nuisance

Farmers and other landowners have to clear up the remnants of sky lanterns from their

fields. Whilst 'biodegradable' lanterns made from Bamboo are available, they still take months or years to degrade.

Fire

Once a sky lantern is lit, nobody knows exactly where it will land. Fields of standing crops, hay and straw stacks, farm buildings housing animals, thatched roofs plus lots more are all at a significant risk of being set alight.

Climate Change

Global warming is affecting the climate in the UK. In 2022 the highest ever UK daily temperature was recorded and the UK endured drought conditions. These conditions make fields and crops more vulnerable to fire. This trend is forecast to continue. In 2022 the National Farmers Union (NFU) started a campaign for a total ban of sky lanterns in England and Wales and began a petition that received 50,000 signatures.

Animals and Livestock

Sky lanterns can cause suffering or even kill animals and livestock. Not just by fire, sky lantern debris can cause immense stress and injury. Some of the key dangers are:

- Animals eating lantern debris which can cause tears or punctures to internal organs leading to a potentially life-threatening situation
- Animals getting splinters in their skin which may cause infection
- Animals becoming trapped or tangled in debris, where they can suffer from injury and stress trying to get free or starve to death from being trapped
- Frames of lanterns can contaminate crops which are then unknowingly fed to animals
- Marine life is also endangered by lanterns falling into the sea.

False alarms

Sky lanterns pose a significant danger to aviation traffic such as planes and helicopters. There are concerns that lanterns can be drawn into aircraft engines and can delay take-off and landing. In addition, lanterns drifting across a night sky have also been mistaken by the public and coast guards for marine distress signals.

The risks associated with helium balloons

In addition to concerns about sky lanterns some councils, such as Norfolk County Council, have also banned the release of Helium filled balloons from land they own.

Balloon releases can also cause harm to the environment and wildlife. Balloon materials quickly become litter and can choke animals and livestock and are harmful to birds.

National Policy

Sky lanterns aren't currently banned in England or Scotland, but they've been banned in Wales on all council land since February 2018. There is currently no national legislation in place, however it is widely accepted that:

“By enacting Section 140 of the Environmental Protection Act 1990 the Secretary of State can prohibit or restrict the importation, use, supply or storage of injurious substances or articles, such as sky lanterns.”¹

The Sky Lanterns (Prohibition) Bill was brought to the House of Commons during the 2017-19 session. It completed its first reading on 27 March 2019 but did not complete its passage through Parliament before the end of the session. While a second reading was scheduled and a Bill number assigned (368), it made no further progress.²

In their guidance on Sky Lanterns, Oxfordshire County Council note that:

“.....At the present time, the Department for Business, Innovation & Skills does not feel that a ban is necessary as the legislation currently in place is sufficient to enable retailers etc., to ensure that the products they supply are as safe as possible.

Under the General Product Safety Regulations 2005 anyone in the supply chain has a duty to supply “Safe Products”. Under these regulations Trading Standards can remove any product from the market that they consider unsafe in normal or reasonable foreseeable use. A lack of adequate instructions for use and or warnings could lead to a product being regarded as unsafe. As a result sky lanterns could be removed from the market due to poor construction, labelling etc.”

International Policy

A number of countries have implemented a complete ban on the use of sky lanterns including Argentina, Austria, Australia, Brazil, Chile, Colombia, Costa Rica, New Zealand, Spain, Germany and parts of Canada.

1.1 National Campaigns

The National Farmers Union (NFU) advocates against the use of sky lanterns and acknowledges that sky lantern use typically rises around Bonfire Night with many people unaware of the consequences they have on farmers as well as putting increased strain on emergency services. As an example they note that a fire in the West Midlands caused by a lantern saw 39 fire appliances and more than 200 firefighters in attendance to tackle it over a number of days and thousands of people

¹ <https://www.cla.org.uk/news/banning-sky-lanterns/>

² <https://bills.parliament.uk/bills/2378/news>

have already written to their MPs to raise concerns as a result of the NFU's campaign. They have previously released the following statement³ in November 2020:

"The NFU would like to see a total ban of sky lanterns across England and Wales to safeguard property and animals and, while we have already seen numerous councils ban sky lanterns, I would encourage the remaining local authorities to follow the good examples set by others across the country to avoid heightened and unnecessary strain to our already stretched emergency services."

The National Fire Chiefs Council (NFCC) issued a joint statement⁴ back in November 2020 in conjunction with the National Farmers Union (NFU) in relation to the hazards of Sky Lanterns. Paul Hedley stated:

"...I strongly urge people not to light sky lanterns this Bonfire Night. In fact, NFCC does not advocate the use of sky lanterns under any circumstances, at any time.

They pose a huge fire hazard, impact on agriculture, thatched properties and hazardous material sites, and risk the lives of animals. A fire caused by a sky lantern can be a complex and large scale incident and have huge implications on fire services who are already stretched at this time of the year. ..."

The RSPCA have also joined the combined national movement to ban such items and have produced a [guide to sky lanterns](#) with more information about the alternatives that people could choose.

Current campaign progress

In 2021, the NFU, alongside 17 leading farming, environment, animal and fire organisations including the RSPCA and National Fire Chiefs Council, wrote to Rebecca Pow MP, Under Secretary of State for Defra to highlight the danger of sky lanterns.

The coalition then met with Environment Minister, Jo Churchill MP. She committed to commission further research into the risks of sky lanterns.

Then in May 2022, NFU launched a petition calling for support for a total ban on the sale and use of sky lanterns in England and Wales.

³ <https://www.nfuonline.com/updates-and-information/fire-chiefs-join-nfu-campaign-for-sky-lanterns-ban-ahead-of-bonfire-night/>

⁴ <https://www.nationalfirechiefs.org.uk/News/nfcc-and-nfu-highlights-the-dangers-of-sky-lanterns-this-bonfire-night#:~:text=%22They%20pose%20a%20huge%20fire,this%20time%20of%20the%20year.>

2. Recommendations

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
CCCSC22-23 1.1	That a local Charter for BDC outlining our position in relation to Sky Lanterns and Helium Balloons be produced and endorsed by Executive and Council.	That the Council aligns with the approach of neighbouring Councils, outlining a clear stance against the release of sky lanterns and helium balloons on its land and property.	March 2023	Joint Assistant Director of Environmental Health	Officer time	This is deliverable within current service resources.
CCCSC22-23 1.2	That on agreement of the Charter by Council, notification is sent to the Marine Conservation Society so the Council can be added to the national list of	That the Council shows clear intent to back the national campaign and is listed alongside other Councils nationally.	March 2023	Joint Assistant Director of Environmental Health	Officer time	This can be completed following endorsement by Council.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
	Councils with a ban in place.					
CCCSC22-23 1.3	That on agreement of the Charter by Council, all relevant tenancy agreements are reviewed and where necessary a clause added (at their next scheduled revision) to reflect the Council's position in relation to its land and property.	That all relevant tenancy agreements, where necessary, reflect the Council's stance in limiting environmental impacts from sky lanterns and released balloons.	On renewal.	Joint Assistant Director of Environmental Health in consultation with: Assistant Director of Housing Management & Enforcement Business Growth Manager	Officer time	This is deliverable within current service resources. This will require liaison with Estates Management and Housing Management.
CCCSC22-23 1.4	That advice and guidance be added to the Council's website and appropriate publicity in local publications takes place, following agreement of the	That the Council adopts an improved approach to awareness raising on this issue, improving knowledge on the risks and	March 2023	Joint Assistant Director of Environmental Health in consultation with: Communications, Design and Marketing Manager	Officer time	This is deliverable within current service resources.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
	Charter by Council.	directing the public to alternative options.				
CCCSC22-23 1.5	That BDC writes a letter to the Government lobbying for change to national legislation, in line with the national campaign.	That the Council aligns with the approach of neighbouring Councils and backs the national campaign for legislation to ensure a ban on items such as sky lanterns and helium balloons.	March 2023	Portfolio Holder – Environmental Health & Licensing	Member and officer time	This can be completed via support from the Scrutiny & Elections Officer

3. Scope of the review

The Healthy, Safe, Clean & Green Communities Scrutiny Committee agreed to undertake a Review of Council Policy on Sky Lanterns and Helium Balloons, as part of the 2020-21 Work Programme.

The issue was initially raised via a number of comments received by the Leader and Customer Standards & Complaints Officer in relation to Council's Policy and the suggestion of a voluntary ban in relation to the matter in line with current national campaigns.

The review supports the Corporate Ambition of 'Environment' and the Priority of 'Ensuring a high standard of environmental cleanliness, undertaking appropriate enforcement activity where required', but does not link directly to any Corporate Targets.

The aim of the review was:

- To assess the local impact of Sky Lanterns and Helium Balloons and review local Council policy.

The objectives agreed were:

- Assess national campaigns and neighbouring authorities and consider replicating a similar charter/policy for BDC.
- Assess the scale of the local environmental impact via consultation with both residents and local agencies/groups.

The key issues identified for investigation were as follows:

- A number of complaints/comments are received per annum from residents in relation to the use of such items and the environmental damage caused. All communications received refer to the national campaigns. Is it possible to establish evidence of the scale of the issue at a District level using data held by environmental health and legal services?
- A number of national organisations have given weight to a national campaign for legislation changes.

The Committee originally agreeing the review comprised the following Members:

Councillor D. Downes (Chair)
Councillor J. Tait
Councillor E. Parkin
Councillor D. Salt
Councillor D. Bullock

Councillor A. Clarke (Vice-Chair)
Councillor T. Munro
Councillor N. Hoy
Councillor P. Roberts
Councillor R. Walker

Due to a change in the scrutiny structure at the AGM in May 2021, this area of delivery moved to the remit of the Climate Change & Communities Scrutiny Committee. At

their inaugural meeting in July 2021, they agreed to continue with the review alongside their work programme.

The new Committee comprised the following Members:

Councillor N. Clarke (Chair)
Councillor J. Tait
Councillor E. Parkin
Councillor D. Dixon

Councillor A. Clarke (Vice-Chair)
Councillor D. Salt
Councillor D. Bullock

Due to membership changes in 2022/23, Councillor J. Wilson replaced Councillor J. Tait.

Support to the Committee was provided by the Scrutiny & Elections Officer.

4. Method of Review

The original Committee approving the review met on three occasions to consider the scope of the review, key issues they wanted to discuss and to carry out interviews and evidence gathering. This was supplemented by a further three meetings by the new Climate Change & Communities Scrutiny Committee.

The Committee sought evidence by way of:

- Internal enquiries to establish existing policy and procedures; comparison between delivery across neighbouring areas; number of resident contacts; and specific action following a previous motion to Council;
- Development of a draft resident/community group survey (not subsequently pursued following further information from Environmental Health and the Customer Standards and Complaints Officer);
- Online research of national legislation, campaigns and policy approaches by neighbouring authorities and environmental organisations.

A document review was completed of the following as part of the evidence gathering process:

- Environmental Protection Act 1990
- Hansard, volume 657: debated Wednesday 27 March 2019 – Sky Lanterns (Prohibition)
- BDC Compliments, Comments and Complaints data
- Review of BDC and neighbouring authority websites.

Equality and Diversity

Within the process of the review, the Committee has taken into account the impact of equalities. As part of the consideration of local consultation, Members devised a wide list of stakeholders to ensure that all groups were targeted to encourage engagement with the review. Had the consultation gone ahead the survey would have been available in a variety of accessible formats and have targeted all areas of the District. Members also considered how local policy which targeted council land and property would disproportionately target council tenants over private homeowners.

5. Analysis of evidence and key findings

5.1 Assess national campaigns and neighbouring authorities and consider replicating a similar charter/policy for BDC.

Initial investigations

On commencing the review back in December 2020, Members of the original committee began to investigate how other local authorities had approached this issue. It became apparent quite quickly that a large number of authorities across England have put a policy in place either for both types of item or specifically for lanterns or balloons. The Marine Conservation Society has a useful list of authorities with a ban in place, although its accuracy is reliant on the Society being informed by the Council that a Policy or Ban is in place.

As noted in section 1 there has been a significant push by a large number of national agencies over the last three years. This is particularly in light of the impact of the Covid-19 pandemic on the change in the nation's work and leisure time, and on Fire & Rescue Services resources. There has been a notable increase in fires on moorland and grassland linked to littering from both lanterns and disposable BBQs.

Members reviewed the correspondence to the Customer Standards & Complaints Officer and all raised concerns about the environmental impact and called on the authority to put a ban in place within the locality.

Members also consulted with Environmental Health Officers on local data held and while they had no additional data to add, Members felt it was right that the Council sought to align with the approach of neighbouring areas and request that a Policy be drafted.

Further investigation following scrutiny structure changes

Further investigation by the Climate Change & Communities Scrutiny Committee took place in the 2022/23 municipal year. While it was clear that there had been no formal complaints raised at a local level with either the Customer Standards & Complaints Officer, or direct with the Environmental Health Service, the national campaign for change had gathered pace.

Development of a Local Charter

Officers within Environmental Health advised Members that due to the lack of support in terms of national legislation, creation of a policy at a local level may leave the Council open to challenge. An alternative course of action would be to adopt a Charter outlining the Council's stance. A suggested Charter the Council could adopt is as follows:

Bolsover District Council has banned the release of sky lanterns and balloons on any land or property owned by the Council.

We are committed to encouraging businesses, communities, landowners and individuals to switch to alternative ways of celebrating and commemorating events.

Bolsover District Council pledges to:

- *Promote the restriction of the release of all types of helium-filled balloon and sky lantern on property and land owned by the Council. This includes those that are made from bamboo or claim to be biodegradable.*
- *Engage with businesses, communities, landowners, schools and individuals to encourage them to sign up to this charter.*
- *Raise awareness of safer and more environmentally friendly alternatives that people can celebrate with, through promotion and campaigns.*

Officers highlighted that there are many alternatives promoted such as tree planting, flag flying, jam jar lights, or even releasing giant bubbles. The RSPCA website has more suggestions (<https://www.rspca.org.uk/adviceandwelfare/litter/balloon-and-sky-lantern-alternatives>).

(Potential) Recommendations:

That a local Charter for BDC outlining our position in relation to Sky Lanterns and Helium Balloons be produced and endorsed by Executive and Council.

That on agreement of the Charter by Council, notification is sent to the Marine Conservation Society so the Council can be added to the national list of Councils with a ban in place.

That on agreement of the Charter by Council, all relevant tenancy agreements are reviewed and where necessary a clause added (at their next scheduled revision) to reflect the Council's position in relation to its land and property.

That advice and guidance be added to the Council's website and appropriate publicity in local publications takes place, following agreement of the Charter by Council.

That BDC writes a letter to the Government lobbying for change to national legislation, in line with the national campaign.

5.2 Assess the scale of the local environmental impact via consultation with both residents and local agencies/groups

As part of the original scope, Healthy, Safe, Clean & Green Communities Scrutiny Committee developed a brief questionnaire that could be used to consult with both residents and local community groups. Due to the timing of this coinciding with lead up to municipal year-end (2020/21) and a scheduled Citizen Panel Survey, hard copy questionnaires were not an option. Members had agreed to look at a web-based approach but agreed that they would re-assess how the consultation could be completed following the election period and Council AGM.

Due to changes in the scrutiny structure at AGM (May 2021), the review was presented to Climate Change & Communities Scrutiny to assess whether the review was still relevant and if members wanted to continue the piece of work. The new Committee agreed to continue with the review but chose to hold off carrying out consultation in favour of speaking to officers in more detail. Due to workload commitments, members could not move forward with the work until the 2022/23 committee cycle. However, as there was limited public contact in relation to the issue Members felt this was an appropriate course of action.

On reassessing the scope and the evidence originally gathered during 2020/21, Members felt that there was little impact to be gained from completing a consultation exercise, due to the limited number of resident complaints/queries. Additionally, due to the high volume of councils already taking a similar approach and agreeing a local policy, it was agreed this was sufficient weight for the Council to move ahead and develop its own policy to remain consistent with neighbouring areas.

Via internal enquiries it also became apparent that there had been no direct contact or complaint to Environmental Health in relation to the matter. As such, Members concluded that the time and cost of completing consultation would not add any additional benefit to the review.

6. Conclusions

The Committee have put together five recommendations which will hopefully assist the Council in limiting the impact of local use of sky lanterns and helium balloons.

The key findings arising from the review are:

- That there is limited additional impact we can have at a local level due to current national legislation, however designating restrictions on use on council land will bring us in line with over 50% of English councils.
- To ensure service delivery remains efficient and effective across the board, Members advise that BDC aligns its approach with that of neighbouring authorities as this will allow officers in the joint Environmental Health Service to take a proportionate and appropriate approach to enforcement and advice/guidance, within the Fire Service area.

Appendix 1: Stakeholders

Stakeholders engaged during the Review:

- Portfolio Holder – Cllr Watson (Environmental Health)
- Leader of Bolsover District Council
- Executive Director of Resources
- Customer Standards and Complaints Officer
- Improvement Officer (Consultation)
- Joint Assistant Director of Environmental Health
- Joint Environmental Health Managers
- Assistant Director of Housing Management & Enforcement

Stakeholders impacted by the Review:

- Bolsover residents
- Bolsover DC tenants
- Portfolio Holder – Cllr Watson (Environmental Health)
- Joint Assistant Director of Environmental Health and Joint Environmental Health Service
- Assistant Director of Housing Management & Enforcement
- Communications team
- Governance team
- Enforcement Team

Appendix 2: Bibliography

Policy Examples

Dorset County Council

<https://moderngov.dorsetcouncil.gov.uk/documents/s22975/Appendix%20%20-%20The%20Sky%20lantern%20and%20Balloon%20Release%20DC%20Policy.pdf>

Nottinghamshire County Council

<https://www.nottinghamshire.gov.uk/media/127740/sky-lanterns-policy.pdf>

Newark & Sherwood District Council

<https://www.newark-sherwooddc.gov.uk/skylanternsandballoons/>

North East Derbyshire District Council

<https://www.ne-derbyshire.gov.uk/news-and-media/latest-news/council-introduce-charter-to-ban-release-of-sky-lanterns-and-helium-balloons-on-council-land>

Council report: [https://democracy.ne-](https://democracy.ne-derbyshire.gov.uk/ieListDocuments.aspx?CId=1156&MId=1487&Ver=4)

[derbyshire.gov.uk/ieListDocuments.aspx?CId=1156&MId=1487&Ver=4](https://democracy.ne-derbyshire.gov.uk/ieListDocuments.aspx?CId=1156&MId=1487&Ver=4)

Guidance on Chinese Sky Lanterns – Issue 1, Oxfordshire County Council.

<https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/business/tradingstandards/safety/skylanternsleaflet.pdf>

Preston City Council

<https://www.preston.gov.uk/article/4195/Balloon-and-Sky-Lantern-Release-Policy>

Shropshire County Council

<https://shropshire.gov.uk/committee-services/documents/s30585/Policy%20on%20the%20Release%20of%20Balloons%20and%20Sky%20Lanterns-20042022%200909.pdf>

National Campaigns

Countryside

<https://www.countrysideonline.co.uk/care-for-the-countryside/sky-lanterns/>

Marine Conservation Society

<https://www.mcsuk.org/what-you-can-do/campaigns/dontletgo/dontletgo-councils/>

NFU

<https://www.nfuonline.com/updates-and-information/has-your-local-authority-banned-sky-lanterns/>

RSPCA

<https://www.rspca.org.uk/adviceandwelfare/litter/skylanterns>

<https://www.rspca.org.uk/documents/1494939/7712578/Sky+lanterns+%28PDF+346KB%29.pdf/73464443-0f58-6b2e-1d50-efde47de7fe6?t=1553617206154&version=1.0&t=1553617206154>

Legislation

Environmental Protection Act 1990, Part VIII, s.140
<https://www.legislation.gov.uk/ukpga/1990/43/part/VIII>

Sky Lanterns (Prohibition) Bill
<https://bills.parliament.uk/bills/2378/news>
[https://hansard.parliament.uk/commons/2019-03-27/debates/0EAB4869-23CB-4422-9EB1-ABA96E1E4B94/SkyLanterns\(Prohibition\)](https://hansard.parliament.uk/commons/2019-03-27/debates/0EAB4869-23CB-4422-9EB1-ABA96E1E4B94/SkyLanterns(Prohibition))



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Bolsover District Council

Climate Change & Communities Scrutiny Committee on 15th November 2022

Climate Change & Communities Scrutiny Committee Work Programme 2022/23

Report of the Scrutiny & Elections Officer

Classification	This report is Public
Report By	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk
Contact Officer	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, joanne.wilson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To provide members of the Scrutiny Committee with an overview of the meeting programme of the Committee for 2022/23.

REPORT DETAILS

1. Background

- 1.1 The main purpose of the report is to inform members of the meeting programme for the year 2022/23 and planned agenda items (Appendix 1).
- 1.2 This programme may be subject to change should additional reports/presentations be required, or if items need to be re-arranged for alternative dates.
- 1.3 Review Scopes submitted will be agreed within Informal Session in advance of the designated meeting for Member approval to ensure that there is sufficient time to gather the information required by Members and to enable forward planning of questions.
- 1.4 Members may raise queries about the programme at the meeting or at any time with the Scrutiny & Elections Officer should they have any queries regarding future meetings.

- 1.5 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 1.6 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 1.7 As part of the scoping of Reviews, consideration is given to any consultation that could support the evidence gathering process.

2. Details of Proposal or Information

- 2.1 Attached at Appendix 1 is the meeting schedule for 2022/23 and the proposed agenda items for approval/amendment.

3. Reasons for Recommendation

- 3.1 This report sets the formal Committee Work Programme for 2022/23 and the issues identified for review.
- 3.2 The Scrutiny Programme enables challenge to service delivery both internally and externally across all the Council Ambitions.
- 3.3 The Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

4 Alternative Options and Reasons for Rejection

- 4.1 There is no option to reject the report as the Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

RECOMMENDATION(S)

- 1. That Members review this report and the Programme attached at Appendix 1 for approval and amendment as required. All Members are advised to contact the Scrutiny & Elections Officer should they have any queries regarding future meetings.

IMPLICATIONS:**Finance and Risk:** Yes ☐ No ☒**Details:**

None from this report.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐**Details:**

In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added to/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

On behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒**Details:**

None from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No
District Wards Significantly Affected	N/A
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Committee Members

Links to Council Ambition: Customers, Economy and Environment.

All

DOCUMENT INFORMATION	
Appendix No	Title
1.	CCCSC Work Programme 2022/23 151122

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
Previous versions of the Committee Work Programme.

Climate Change and Communities Scrutiny Committee

Work Programme 2022/23

Performance Review	Policy Development	Policy/Strategy Programme Monitoring	Review Work	Call-In/Review of Executive Decisions	Petition

Date of Meeting	Items for Agenda		Lead Officer
24 May 2022 38	Part A – Formal	• Agreement of Work Programme 2022/23	Scrutiny & Elections Officer
		• Update on Community Woodlands Project	Interim Planning Policy Manager
		• Carbon Reduction Plan – Monitoring Report	Assistant Director of Property Services & Housing Repairs
		• Delivery of Leisure Services post Covid-19 – Impact on provision, budgets and sustainability of service	Leisure Operations Manager
		• Review of Council Policy on Fireworks – Executive Response	Scrutiny & Elections Officer
	Part B – Informal	• Review work: Draft review report and agreement of recommendations	Scrutiny & Elections Officer
12 July 2022	Part A - Formal	• Review of Council's Policy on Sky Lanterns and Helium Balloons	Scrutiny & Elections Officer
		• Work Programme 2022/23	Scrutiny & Elections Officer
	Part B - Informal	• Review work: Review of Voluntary & Community Sector Grant Allocations – Draft Report	Scrutiny & Elections Officer
26 July 2022 (Extraordinary meeting)	Part A - Formal	• Review work: Review of Voluntary & Community Sector Grant Allocations –Final Report	Scrutiny & Elections Officer

Date of Meeting	Items for Agenda		Lead Officer
39 11 October 2022 (rearranged from 20 September 2022)	Part A – Formal	<ul style="list-style-type: none"> Review of Council's Policy on Sky Lanterns and Helium Balloons – Briefing from officers 	Environmental Health team
		<ul style="list-style-type: none"> Review of Council Policy on Fireworks: Post-Scrutiny Monitoring (Interim Report) 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> Review of Voluntary & Community Sector Grant Allocations – Executive Response 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> Review work 	Scrutiny & Elections Officer
15 November 2022	Part A – Formal	<ul style="list-style-type: none"> Sustainable Community Strategy 2020-23 and current Partnership delivery – Monitoring Update 	Partnership Team
		<ul style="list-style-type: none"> Review of Council's Policy on Sky Lanterns and Helium Balloons – Final Report 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> Review work 	Scrutiny & Elections Officer
Date TBC	Part B – Informal	<ul style="list-style-type: none"> Carbon Reduction Plan – Member Update 	Assistant Director of Property Services & Housing Repairs
31 January 2023	Part A – Formal	<ul style="list-style-type: none"> Health and Wellbeing Strategy – Monitoring Update 	HR & OD Manager
		<ul style="list-style-type: none"> Carbon Reduction Plan – Monitoring Report 	Assistant Director of Property Services & Housing Repairs
		<ul style="list-style-type: none"> Review of Voluntary & Community Sector Grant Allocations: Post-Scrutiny Monitoring (Interim Report) 	Scrutiny & Elections Officer

Date of Meeting	Items for Agenda		Lead Officer
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Preparation for Annual Review of the Community Safety Partnership 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> • Review work 	Scrutiny & Elections Officer
7 March 2023 40	Part A – Formal	<ul style="list-style-type: none"> • Annual Review of Community Safety Partnership 	Executive Director of Resources/ Head of Housing Management and Enforcement/ Housing Enforcement Manager/ Community Safety Team
		<ul style="list-style-type: none"> • Review of Council Policy on Fireworks: Post-Scrutiny Monitoring (Final Report) 	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> • Work Programme 2022/23 	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> • Review Work 	Scrutiny & Elections Officer