

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
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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

<p>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:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No
<p>District Wards Significantly Affected</p>	None
<p>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"/></p>	<p>Yes</p> <p>Details: Relevant Service Managers and Portfolio Holder engaged during the review process.</p>

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

(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).

Please contact Scrutiny & Elections Officer where further information is required.