

ENVIRONMENT OVERVIEW AND SCRUTINY PANEL – 10 SEPTEMBER 2015
GENERAL PURPOSES & LICENSING COMMITTEE – 11 SEPTEMBER 2015

JOINT TASK AND FINISH GROUP – SKY LANTERNS

1. INTRODUCTION

- 1.1 A joint Environment Overview & Scrutiny Panel and General Purposes & Licensing Committee Task & Finish Group was established following a question regarding sky lanterns from Councillor Sue Bennison at the full Council meeting on 23 February 2015. In response to Cllr Bennison's question, the Leader of the Council gave the following response: -

"I have asked Officers to bring a report to Cabinet on this matter with a view to banning the use or release of Sky Lanterns from land or property in the ownership or direct control of the Council. I have asked Officers to consider how such a ban may be introduced, particularly as to how this would be implemented with regards to the Council's housing stock.

In addition I have asked the Chairmen of the Environment Overview and Scrutiny Panel and General Purposes & Licencing Committee to form a joint Task & Finish Group to consider what further measures the Council could take to further discourage the use or release of Sky Lanterns, including the use of conditions when granting licences."

2. DANGERS POSED BY SKY LANTERNS

- 2.1 The following information is taken from the website of Hampshire Fire & Rescue Service:

"The dangers of using flying lanterns

Whilst flying lanterns are a popular and beautiful sight, the potential damage they can cause is significant:

- Lighting and launch are mostly in the control of the user, however the actual flight path and destination are usually not – flying times suggested by manufacturers vary from 6 minutes up to 20 minutes with heights claimed to be up to 1 mile*
- There is no guarantee that the fuel cell will be completely out and cooled when the lantern eventually lands – any contact with a flammable surface could start a fire*
- There is evidence of flying lanterns causing serious fires, wasting police time, being mistaken for distress flares, misleading aircraft and killing livestock*
- The risk of these things happening will only increase if more use is made of Chinese lanterns, therefore we do not support their use and would ask you (and event organisers) not to use them."*

- 2.2 In addition to the above dangers, the Task & Finish Group were concerned about the litter caused by sky lanterns, after the flame had extinguished and they fell to the ground.

3. THE TASK AND FINISH GROUP

3.1 Membership of the Task & Finish Group was as follows: -

Councillor Sue Bennison (Environment Overview and Scrutiny Panel)
Councillor Christine Ford (Environment Overview and Scrutiny Panel)
Councillor Bev Thorne (Environment Overview and Scrutiny Panel)
Councillor Len Harris (General Purposes & Licensing Committee)
Councillor Richard Frampton (General Purposes & Licensing Committee)
Councillor Neil Tungate (General Purposes & Licensing Committee)

3.2 The group met on 18 August 2015 and held an extensive debate on the options that were available to this Council to address the concerns that had been identified. It was agreed that, for the most part, this Council could act through encouraging event organisers not to release sky lanterns. With respect to the Licensing function, the first step would be to include a statement in the Licensing Policy which is in the process of being updated.

4. RECOMMENDATIONS

4.1 To the Environmental Overview & Scrutiny Panel:

RECOMMENDED:

That insofar as it relates to their terms of reference, the actions set out in Appendix 1 be recommended to the relevant Portfolio Holders for approval.

4.2 To the General Purposes & Licensing Committee

RECOMMENDED:

That those actions set out in Appendix 1 that relate to the Licensing Act 2003 be approved.

For further information please contact:

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Background Papers:

None

AMENDMENT TO STATEMENT OF LICENSING POLICY

The Council's Statement of Licensing Policy sets out the principles exercised by the Council when carrying out its functions as a Licensing Authority under the Licensing Act 2003. The Council's existing Statement of Licensing Policy will expire on 6 January 2015. A public consultation on the new Statement of Licensing Policy, to take effect from 7 January 2016, has recently closed.

The Task & Finish Group recommends that the Council include in its Statement of Licensing Policy a clear statement that the Council does not support the use or release of sky lanterns from licensed premises. The Council, as Licensing Authority, should have regard to its Statement of Licensing Policy when deciding whether to grant or vary a premises licence or club premises certificate under the Licensing Act 2003. Should an application be received which suggests that sky lanterns are likely to be released from the premises, and should an objection be received in relation to that application, the Licensing Authority, with reference to the Statement of Licensing Policy, can determine whether it is appropriate for the promotion of the licensing objectives to include a condition on the licence prohibiting the use or release of sky lanterns from the premises.

Draft amendments to the Statement of Licensing Policy, including a provision regarding sky lanterns, is included in the Licensing Officer's report to the General Purposes and Licensing Committee.

CORPORATE/COUNCIL-OWNED LAND

The Task & Finish Group concluded that the following actions should be taken in relation to land owned by the Council: -

New leases/hiring agreements	All new leases and hiring agreements will include a clause specifically prohibiting the use/release of sky lanterns from Council land
Land currently leased to Town & Parish Councils	Where a Town or Parish Council lease land owned by New Forest District Council, they will be asked to sign up to a voluntary 'code of practice', agreeing that sky lanterns will not be released from the land. A letter will be sent to all Town and Parish Councils informing them of New Forest District Council's position on sky lanterns, discouraging their use and requesting support on this issue. The Council's Solicitor will draft the letter to Town and Parish

	Councils, for agreement by the Task & Finish Group prior to sending.
Council residential tenants	<ul style="list-style-type: none"> • A full editorial, setting out the dangers and risks of sky lanterns and the Council's position, should be featured in the Hometalk magazine. The Council's resident involvement team will be requested to examine this action point. • The Council's position on sky lanterns will be included in the next Tenants' Handbook, when it is published.
Communications	It is intended that approaches will be made to the New Forest National Park Authority and the Forestry Commission, exploring the potential for a joint communications strategy on the subject of the dangers posed by sky lanterns.