

Report of Area Commander Community Risk

7. Sky Lanterns

Purpose of report

1. To provide the Committee with an update on the local and national initiatives aimed at reducing the risks associated with the use of sky (Chinese) lanterns and asks the Committee to adopt the CFOA policy statement as the Fire Authority's position on the matter.
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Recommendation

It is recommended that a policy on the issue of sky (Chinese) lanterns be approved in accordance with the Chief Fire Officers Association (CFOA) position statement on Chinese lanterns, dated July 2013.

Introduction and background

2. This report provides an update to the item in the Chief Fire Officer's Service Report relating to sky lanterns at the Fire Authority's meeting on 19th February 2014.
3. An estimated 200,000 sky lanterns are used in the UK each year at events such as weddings, halloween celebrations, music festivals and funerals. There has been increased concern about injuries to livestock as well as property damage arising from fires where the cause has been attributed to sky lanterns. Local examples include the July 2013 Smethwick recycling plant incident and the Croft Farm Leisure Park fire in November 2013.

Action being taken nationally

4. In July 2013 CFOA issued a position statement on sky lanterns, advocating that FRSs should discourage their use by working with local Trading Standards Officers, local Police Authorities, and local event licensors (attached at Appendix 1).
5. Following a written question to the relevant Minister by local MP Harriett Baldwin in Parliament, further questions were elevated to the Under-Secretary of State for Environment, Food and Rural Affairs regarding the consideration of a total ban.
6. The Department for Environment, Food and Rural Affairs (DEFRA) had previously rejected calls for a ban on sky lanterns after concluding that the risk of death and injury they posed to livestock was low. However, DEFRA recommended much clearer guidance to raise public awareness of how to use them responsibly.

7. The Trading Standards Institute (TSI) has published an industry Code of Practice for designers, manufacturers, importers, and retailers of sky lanterns (attached at Appendix 2). The Code of Practice is also intended to inform surveillance authorities and organisers of staged events within the UK. CFOA commented on the industry Code of Practice in August 2014, welcoming its publication.

Key elements of the TSI Code of Practice - Sky Lanterns

8. Further to the initial concerns around animal welfare and fire risks, the Code of Practice extends safety concerns to include: impact on the environment, risk to aviation, risk to coastal rescue services, and risk to consumer safety.
9. The Code of Practice covers: design and manufacture, safety checks, warnings and instructions for use, and responsible sale as detailed below.
10. *Design and manufacture.* The size and shape of lanterns are discussed regarding their influence on flammability risks. Construction, in particular the materials, ignition source, and biodegradability are considered in relation to the impact on the environment and packaging and labelling should include the product code and manufacturer, and instructions and warnings.
11. *Safety checks.* Visual and performance checks should be carried out on each design and batch of lanterns sold; the Code of Practice includes an evaluation checklist for such checks.
12. *Warnings and instructions for use.* Example images of warning notices and safety instructions are included in the Code of Practice; the size and content of these notices is also given. The warning notice includes risk of fire, injury to people and animals, and possible damage to buildings or environment. The instructions for use include consideration of appropriate age, influence of alcohol, weather conditions, and liability for criminal charges or civil claims for damages.
13. *Responsible sale.* Guidance for distributors and retailers includes the consideration of an age restriction policy, and a review system for complaints.

Action being taken locally

14. George Eustice MP, as the Under-Secretary of State for Farming, Food and Marine Environment, provided a written response to Harriett Baldwin MP's question regarding steps taken to reduce the risks of sky lanterns to the environment. George Eustice MP promoted the effectiveness of the role of government departments in establishing actions and initiatives to improve awareness, standards, and safety associated with their use.
15. As a statutory authority, HWFRS is a consultee under the Licensing Act 2003. This has enabled officers reviewing applications for events, such as concerts and festivals to request an embedded restriction to be placed on the license, as follows:

“Sky (Chinese) Lanterns - lanterns of this type should not be used or sold on site. A statement should be included within the ticketing terms of the event and also within the camping and event guidelines that they should not be brought to the venue or released from the venue”.

16. Both Herefordshire and Worcestershire Regulatory Services have welcomed this approach, with the embedded restriction being included in approximately ten event licenses issued in the past twelve months.
17. Small events, with less than five hundred attendees, need only apply for a Temporary Event Notice (TEN). The Service is not consulted on TENs, and therefore there is not a direct way of restricting the use of sky lanterns at such events.
18. HWFRS Chief Fire Officer continues to express concern in the press and on social media regarding the use of sky lanterns. The Service has issued several press releases warning the public of the dangers associated with such devices, which align to the CFOA position statement.

Conclusion/summary

19. The increased use of sky lanterns has caused rising concerns both to the farming community, fearful for the welfare of their livestock and to the fire sector in the light of recent fire incidents.
20. A Code of Practice has been issued by the TSI providing guidance on design and manufacture, safety checks, warnings and instructions for use, and responsible sale.
21. Locally, HWFRS officers have embedded restrictions on licences issued under the Licensing Act 2003 for large events. Although small events fall under different licensing arrangements, HWFRS’s Community Risk team continue to issue press releases, and promote the CFOA position on the use of sky lanterns.
22. In consideration of the multiple risks involved in the release of sky lanterns it is recommended that the CFOA position statement on sky lanterns is adopted by the Policy and Resources Committee on behalf of the Fire Authority.

Corporate considerations

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| Resource Implications (identify any financial, legal, property or human resources issues) | None. |
| Strategic Policy Links (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications). | Work links to core purpose (preventative services). |
| Risk Management / Health & Safety (identify any risks, the proposed control measures and risk evaluation scores). | None. |
| Consultation (identify any public or other consultation that has been carried out on this matter) | Continued consultation with licensing partners regarding banning sky lanterns at public events. |
| Equalities (has an Equalities Impact Assessment been completed? If not, why not?) | Not applicable. |

Supporting information

Appendix 1: CFOA Position Statement: Chinese Lanterns, July 2013

Appendix 2: Industry Code of Practice: Sky Lanterns

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