Purpose of Report
1.1 This report seeks, through the use of open space areas, to meet the Council objectives of cultural and social enrichment.

Executive Summary
2.1 This report outlines a request that has been received for the use of Dale End Park as a launch area for Hot Air Balloons and the public consultation undertaken as a response to the request.

Proposed Action
The Committee is invited to RESOLVE that:

3.1 A licence be drawn up to grant permission to use Dale End Park for the launch of private hot air balloons on a trial basis for the summer of 2007, during the early evenings only and at a maximum of 1 launch date per month;

3.2 Environmental Protection Officers, in liaison with Officers from the Social & Cultural Development Team, undertake measurement of the noise emanating during take-offs and utilise the outcomes to decide whether early morning take-offs should also be permitted;

3.3 Officers review this usage and any feedback received from the public in order to agree a future policy.

Background
4.1 A request has been received from a group of Wellingborough-based private hot air balloon pilots to use Dale End Park over the summer months for the launching of their balloons.

4.2 Launches are undertaken either first thing in the morning (around 6-6.30am) or in the early evening (6-7pm) and they currently use a number of locations in the area in order to allow for a variety of flights to take place. Sites currently used include Wicksteed Park, Kelmarsh Hall, the Marriott Hotel, Northampton and farm and commercial enterprise land.

4.3 These flights are undertaken by private pilots who fly solely for fun and with no commercial gain attached whatsoever.

4.4 The group would be looking to use the park a maximum of 4-6 times over the summer period (to the end of September), and they try not to use the same location more that once a month.
4.5 Dale End Park is used on a regular basis throughout the Summer months for community and charitable events such as Car Boot Sales, Horse and Dog Shows and Fun Days. As these are of a fund-raising nature there is no charge levied for such use. Where commercial concerns use the Borough Council’s open spaces (such as the Spring Fun Fair as Bassetts Close) a licence agreement is drawn up and charges are made for the use. For general use such for the type of events outlined, delegated decision making authority has been given to the Executive Director (Sustainable Communities).

5 Discussion
5.1 In order that the views of local residents could be taken into account in any decision made, a consultation exercise was carried out whereby 100 explanatory letters and consultation return forms were hand delivered to residential properties in the area. Copies of these can be found at Appendix 1. These were circulated to properties in Croyland Road, Northampton Road, Townsend Close, Brook Street West, Westfield Road and Harvey Road.

5.2 The consultation asked whether or not the resident was in favour of allowing the ballooning to take place and what concerns or comments they may have.

5.3 Sixty-four forms were returned (a 64% response rate) and of these 54 (84%) were in favour of allowing the ballooning and 10 (16%) were not in favour.

5.4 Comments from those in favour of the proposal included: “it will be a pleasure to have Dale End used for such activity like this. Great fun and no harm to anyone”; “wonderful idea”; “a brilliant use of Dale End” and “we appreciate being asked”.

5.5 The main areas of concern from those not in favour were:

5.5.1 The potential of accidental damage to property and issues of insurance.
As part of any agreement to be entered into there would be stipulations concerning appropriate public liability insurance (minimum of £5,000,000), compliance to Health & Safety legislation and best practice guidelines and a full written Risk Assessment document to be supplied, copies of electrical test certificates and method statements regarding the use and storage of liquefied petroleum gas also to be supplied. Such clauses would be included in a licence agreement between the Borough Council and the pilots. All the pilots are experienced and have been flying for a number of years.

5.5.2 Increase in traffic and nuisance parking.
The back-up team would be requested to park within the boundaries of Dale End and not on the peripheral roads. From arrival on site to the launch of the balloons and vacation of the site there would be a maximum of 1 hour and probably much less.

5.5.3 An excessive number of occasions have been suggested.
The pilots have stated that they would use the park area on some 4-6
occasions over the summer flight period (April through to September). This would approximate to one flight per month as, should permission be granted, flights would not commence until well into June.

5.5.4 The site is too near to residential properties. Having taken advice from officers at Bedford Borough Council who undertake a Balloon Festival, and given the size of the open space area, there is ample space for up to the maximum of 6 balloons requested to take off well away from residential properties. Balloons also take off from an open space area adjacent to the Marriott Hotel in Northampton and from speaking to the management of the hotel there have been no issues or complaints from guests.

5.6 Due to the potential of noise nuisance to residents of the area, it is suggested that permission be granted for evening flights only to be carried out on a trial basis. This will allow for the noise during take-off to be measured by officers from the Environmental Protection Service and for a subsequent decision to be made on whether to allow early morning flights.

5.7 It is also proposed that a levy be made for this use in order to cover the administrative costs and those of the Amenities Team who will be required to unlock gates for access. There is little information to undertake a cost/charge comparison as other flights are either undertaken on a commercial basis (Newark & Sherwood District Council charge £50 per month) or as part of a large spectator event (Northampton and Bedford Borough Councils). It is therefore suggested that a fee of £25 per occasion (irrespective of the number of balloons) be charged.

6 Legal Powers

7 Financial and value for money implications
7.1 The levying of a small charge (as per 5.7 above) would cover any necessary expenditure to the Borough Council.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danger of accidental damage to property or persons</td>
<td>Structural damage</td>
<td>Low-Moderate</td>
<td>Ensure Health &amp; Safety legislation is complied with and appropriate public liability insurance obtained. Licence agreement to be put in place</td>
</tr>
<tr>
<td>Potential of noise nuisance – early morning</td>
<td>Disruption to local residents</td>
<td>Low-moderate</td>
<td>Monitor noise level at take-off during evening flights in order to make an informed decision on early morning flights</td>
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</tbody>
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8.1 **Implications for Resources**
The Mobile Recreation Attendant Team will be required to ensure appropriate access as occurs for other parks events.

8.2 **Implications for Equalities**
The Borough Councils’ Parks and Open Spaces are open for the enjoyment of all.

9 **Author and Contact Officer**
Liz Flores, Cultural Development Manager.

10 **Consultees**
Carole Stephenson, Social & Cultural Development Manager; David Haynes, Environmental Protection Manager; Bob Carter, Grounds Maintenance and Cleansing Manager; Mark Reneerkens, Service Development Co-ordinator; John Rose, Health & Safety Officer; Pina Patel, Management Accountant.

11 **Background Papers**
11.1 Letter of request and various correspondence to be found on Social & Cultural Development files.
Dear Resident

Use of Dale End Park – Hot Air Ballooning

The Borough Council has recently received a request from a group of private Hot Air Balloon pilots to use Dale End Park for launching balloons. They have chosen this area as it is surrounded on 3 sides by tree cover and the embankment to the road on the eastern side, making it a good launch location regardless of wind direction.

The intention would be to use the area on some 4-6 occasions between April and September, with a maximum of 6 balloons being launched on each occasion and more realistically 2 or 3 per occasion. These are privately owned balloons with private pilots who fly solely for fun with no commercial gain whatsoever attached.

I intend to draw together a report so that Borough Councillors can make an informed decision on whether or not to allow this use, and as part of the process I would like to hear your views, as residents living in the vicinity of the area. Your responses will form part of the report presented to Councillors.

I would therefore appreciate any comments/views that you may have with regards to this potential use and would ask that these be in a written format. To assist I attach a brief questionnaire for completion and a return envelope for your use.

Please respond by 28 February 2007.

I look forward to hearing from you in due course.

Yours faithfully

Liz Flores
Cultural Development Manager
REQUEST FOR USE OF DALE END PARK
HOT AIR BALLOONING

I am in receipt of your letter of 14 February 2007 and would respond as follows:

I am in favour of granting permission for Hot Air Balloon flights to take place from Dale End Park

I am not in favour of granting permission for Hot Air Balloon flights to take place from Dale End Park

If not in favour please give your reasons below

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Any other concerns/comments that you may have
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(please continue over if necessary.)

Name ..............................................................

Address ..........................................................
(you do not need to complete this but I would appreciate a minimum of the street name in which you live).