

COUNCIL

TUESDAY 11TH SEPTEMBER 2018

REPORT OF HEAD OF LEADERSHIP SUPPORT AND COMMUNITY

A.3 FLAG FLYING PROTOCOL

(Report prepared by Lizzie Ridout)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

Further to the decision taken by Full Council at its meeting held on 3rd July 2018 (minute 46 refers), a protocol has been prepared to establish dates on which flags should be flown, the circumstances of how those flags should be flown and any associated decision making in respect of flying flags outside of the terms of the protocol.

Whilst the general principle applied by the Authority is to follow the advice provided by central Government, a framework for local decision making in respect of the flying of flags would assist in the determination of any additional requests.

This report therefore seeks the approval and adoption of a protocol to govern the flying of flags at Clacton Town Hall.

EXECUTIVE SUMMARY

- The matter of flag flying on local government buildings is not bound by any specific directive.
- For a number of years, the Council has flown flags in accordance with the advice from the Government.
- It remains a matter for individual local authorities to establish their own flag flying protocols.
- The Council does not currently have any protocol or formally agreed guidance on the flying of flags. Decision making in respect of the flying of flags has been informal and on the direction of the Leader of the Council, Chairman of the Council and the Chief Executive.
- Council at its last meeting decided that a protocol would be prepared by Officers (including the ability to fly more than one flag on any one day) and agreed by Council.

RECOMMENDATION(S)

That the Flag Flying Protocol for Clacton Town Hall, as set out in Appendix A to this report, be approved and adopted.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The decision will contribute to deliver the Council priority of Community Leadership by providing symbolic support of the various roles our citizens have played, such as Armed Forces Day.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

There is a potential additional cost is for the equipment required to fly two flags at the same time. This can be met from existing budgets.

Risk

There is a risk that formalising the council protocol on flag flying may prove contentious with some members of the public, however, the overriding concern is ensuring that the protocol clarifies the Authority's position and provides a mechanism of who makes a decision in the event of any dispute.

LEGAL

There are no direct legal implications associated with the adoption of the flag protocol.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

There are no significant implications that have to be drawn to Members' attention.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The flying of flags is not the subject of statute across Great Britain and advice is issued from the Department for Culture, Media and Sport (DCMS) on the flying of national flags from government buildings. The advice relates to government buildings only, but many local authorities, such as Tendring District Council (TDC), also follow the advice on a voluntary basis.

The Government's Flag and Heraldry Committee produced a Flag Flying Guidance in 2010. The guidance covers simple rules which apply to flying flags in a variety of situations and aims to ensure flags across the nation are flown correctly and treated with dignity and respect.

In November 2012, the Department for Communities and Local Government (DCLG) published a Plain English Guide to Flying Flags, which provided a summary of new regulations.

Members will recall that at its meeting of Full Council held on 15 May 2018 (minute 26 refers) Councillor Pemberton submitted the following motion which was referred to the Community Leadership Overview & Scrutiny Committee for consideration and report:

“That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George's Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day.”

The Community Leadership Overview & Scrutiny Committee decided to recommend to Full Council that Councillor Pemberton's motion be amended to read as follows:-

“That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George's Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day subject to a protocol being prepared by officers and agreed by Council and that the protocol includes the ability to fly more than one flag on any one day.”

At the meeting of Full Council held on 3 July 2018, Members decided to adopt the recommendations of the Community Leadership Overview & Scrutiny Committee.

Work continues to investigate and arrange the ability to fly two flags on the same flag pole.

CURRENT POSITION

In accordance with minute 46 of the Full Council meeting held on 3rd July 2018, Members are now required to give consideration to the attached Flag Flying Protocol.

BACKGROUND PAPERS FOR THE DECISION

None.

APPENDICES

Appendix A – Proposed Flag Flying Protocol