

Flag Policy

1. Purpose of the Report

To inform members of requirements for flag flying and to determine a policy with a timeframe in the event of another flag being flown.

2. Background

2.1 Government Guidance for flag flying states the following;

All flags must be:

- be maintained in a condition that does not impair the overall visual appearance of the site
- be kept in a safe condition
- have the permission of the owner of the site on which they are displayed (this includes the Highway Authority if the sign is to be placed on highway land)
- not obscure, or hinder the interpretation of official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport
- be removed carefully where so required by the planning authority
- Subject to compliance with the standard conditions, there are 3 categories of flag:

(a) flags which can be flown without consent of the local planning authority

(b) flags which do not need consent provided they comply with further restrictions (referred to as “deemed consent” in the Regulations)

(c) flags which require consent (“express consent”)

The full list of flags that do not require consent are:

- 1) Any country’s national flag, civil ensign or civil air ensign
- 2) The flag of the Commonwealth, the United Nations or any other international organisation of which the United Kingdom is a member
- 3) A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom
- 4) The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom
- 5) The flag of Saint David
- 6) The flag of Saint Patrick
- 7) The flag of any administrative area within any country outside the United Kingdom
- 8) Any flag of Her Majesty’s forces
- 9) The Armed Forces Day flag

The above flags or their flagpoles must not display any advertisement or subject matter additional to the design of the flag, but the Regulations now highlight that you can attach a black mourning ribbon to either the flag or flagpole where the flag cannot be flown at half mast, for example, when flying a flag on a flagpole projecting at an angle from the side of a building.

The use of the word “country” in (1) and (7) of the list above, includes any of the Channel Islands, the Isle of Man and any British Overseas Territory. The flags of St George and St Andrew are recognised as the national flags of England and Scotland, but the flags of St David and St Patrick are listed separately as they do not necessarily fall into the category of a country’s national flag.

Two flags can also be flown from the same flagpole without the need for consent if:

(i) both flags are within the list above; or (ii) one flag is within the list above and the other is within the categories of flag set out under (b) below.

In either case, if one of the flags is the Union Flag, it must be flown in the superior position.

Following the UK's departure from the European Union, the flag of the European Union is no longer included in the list of flags that do not require consent.

Flags which do not require consent provided they comply with certain restrictions;

A number of categories of flag may be flown without consent, subject to certain restrictions regarding the size of the flag, the size of characters on the flag, and the number and location of the flags.

Categories of flag that can now be flown:

- house flag – flag is allowed to display the name, emblem, device or trademark of the company (or person) occupying the building, or can refer to a specific event of limited duration that is taking place in the building from which the flag is flown
- any sports club (but cannot include sponsorship logos)
- the Rainbow flag (six horizontal equal stripes of red, orange, yellow, green, blue and violet).
- specified award schemes – Eco-Schools, Queen's Awards for Enterprise and Investors in People
- the NHS flag.
- certain environmental awards (see below).

The restrictions on flying this second category of flag relate to where the flagpole is located on a building or within the grounds of a building.

Designated days for flying the Union Flag on UK government buildings 2022

- 6 February: Her Majesty's Accession
 - 1 March: St David's Day (in Wales)
 - 14 March: Commonwealth Day (second Monday in March)
 - 17 March: St Patrick's Day (in Northern Ireland)
 - 21 April: Birthday of Her Majesty The Queen
 - 23 April: St George's Day (in England)
 - 2 June: Coronation Day
 - 2 June: Official celebration of Her Majesty's Birthday
 - 13 November: Remembrance Day (second Sunday in November)
 - 14 November: Birthday of the Prince of Wales
 - 30 November: St Andrew's Day (in Scotland)
- Also:
- The day of the opening of a Session of the Houses of Parliament by Her Majesty and the day of the prorogation of a Session of the Houses of Parliament by Her Majesty. Flags should be flown on these days even if Her Majesty does not perform the ceremony in person; flags need to be flown in the Greater London area.

3. Financial Implications & Risks

There are no financial implications

4. Recommendation

Members agree a policy and points that it should include.