



ECCLESFIELD PARISH COUNCIL

Serving the Community since 1894

Draft Flag Flying Policy and Protocol

Introduction

The Council recognises that flags are emotive symbols which can boost local and national identities and strengthen community cohesion. They are a way for communities to express feelings of joy, pride and loyalty.

Like all symbols, flags are open to wide-ranging interpretation and, therefore, also have the potential to cause controversy and create tension between community groups whose opinions may differ. The flying of any flag must be viewed in the context in which it is flown or displayed. Factors affecting the context include the manner, location and frequency with which flags are flown. The Council has a responsibility to carefully consider the potential impact upon its communities of flying flags from its properties and how that action may be interpreted.

This policy and protocol reflects advice issued by the Department for Culture, Media and Sport (DCMS) on the flying of national flags on government buildings. This includes a Plain English guide¹. This advice relates to government buildings only, but many Councils follow the advice on a voluntary basis and it is widely considered to be best practice to do so.

Additionally, the Flag and Heraldry Committee and the Flag Institute produce flag flying guidance aimed at ensuring flags are flown correctly and treated with dignity and respect. This guidance has been used to inform the production of this document.

It also seeks to maintain the dignity of national flags and avoid such flags being the subject of political controversy by:

- Providing context and established precedents.
- Outlining the Council's arrangements for the displaying of flags.
- Clarifying the protocol and procedure for flying flags.
- Clarifying the appropriate procedure should a request for the flying of a specific 'guest flag' or flags be received.

2. Context

¹ <https://www.gov.uk/government/publications/flying-flags-a-plain-english-guide>

The flying of flags is not the subject of specific legislation. The Government liberalised the regulations surrounding the flying of flags in England in October 2012.

Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), flags are normally treated as a form of advertising. Therefore, some flags require formal consent from the planning authority before they may be displayed.

All flags, regardless of category, must:

- Be maintained in a condition which does not impair the overall visual appearance of the site;
- Be kept in a safe condition;
- Have the permission of the site owner on which they are displayed;
- Not obscure or hinder the interpretation of road, rail, waterway or aircraft signs; and
- Be removed carefully where so required by the planning authority.

There are categories of flags which do not require consent from the local planning authority (although the flagpole from which they are flown may). These are:

- Any country's national flag or civil ensign
- The flags of the Commonwealth, the European Union and the United Nations.
- The flag of any island, county, district, borough, parish, city, town or village.
- The flag of the Black Country, East Anglia, Wessex; any part of Lincolnshire, any Riding of Yorkshire; any historic county with the UK.
- The flag of St David and St Patrick.
- The flag of any administrative area within any country outside of the UK.
- Any flag of Her Majesty's forces.
- The Armed Forces Day Flag.

The Council has the freedom to fly flags of this category on any day of the year.

There are several categories of flag where the flagpole (flagstaff) is located on a building (as is the case with Ecclesfield) or within the grounds of a building which means that they may be flown without consent, but which are subject to certain restrictions (see below). These categories of flag are:

- House Flag - that displays the name, emblem, device or trademark of the company (or person) occupying the building from which they are flown (or this may 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 horizontal striped rainbow flag, such as the "Pride" Flag.
- Specified award schemes – incl. Eco-schools, Investors in People and Green Flag.

The restrictions on flying this category of flag are:

- The flag must be on a flagpole projecting from any part of a building other than the roof (e.g. projecting from the side of the building).
- Only one flag on a projecting flagpole on a building is permitted.
- The flag may not exceed 2 square metres in size.
- Consent is required if the flagpole is in a controlled area such as a Conservation Area.
- It is permitted to fly one flag on a vertical flagpole on the roof of a building and one flag within the grounds of the building without consent (subject to restrictions below). However, it is not permitted to fly a flag on a vertical flagpole on the roof and a projecting flagpole without consent.

Any flag not identified above requires consent from the local planning authority before it can be flown.

3. Usual arrangements for the displaying of flags

This Policy and Protocol seeks to formalise the practice and procedures for the flying of the flag outside the Council Offices. The procedures and planning restrictions detailed within it, however, apply to all flags displayed on Council property.

The flag that will normally be displayed is The Union Flag.

In addition, the following flags will be flown.

- The Yorkshire Day Flag on Yorkshire Day in August.
- The Armed Forces Day Flag on Armed Forces Day in June.
- The Rainbow Flag (also commonly known as “LGBT” / “Gay Pride” Flag) on the day of any local or city wide Pride festival such as ‘Sheffield Pride’.
- The Cross of St George Flag (the English National Flag) on St George’s Day on 23rd April.

4. The Protocol & Procedure for flying flags

The flag that will normally be displayed is The Union Flag.

The Union Flag shall be flown the correct way up. The wider diagonal white stripe must be above the red diagonal stripe, closest to the pole.

The Union Flag will be flown at half-mast or by attaching a black mourning ribbon to either the flag or flagpole where the flag cannot be flown at half mast, to mark the following occasions:

- a. On the death/funeral of the Sovereign.
- b. On the death/funeral of another member of the Royal Family.
- c. On the death/funeral of the Prime Minister (or ex-Prime Minister).

At the discretion of the Clerk in consultation with the Chairman of the Council and Chairman of the Finance/Premises Committee:

- d. On the death/funeral of a serving member of the Armed Forces from the Parish.

- e. In accordance with guidance from the Department of Culture, Media and Sport, the Union Flag may also be flown at half-mast at times of national mourning due to an major incident where British lives are lost (for instance, a terrorist attack or a major incident on British soil or abroad)
- f. or after guidance from the Department of Culture, Media and Sport the Union Flag may be flown at half-mast (or similar) in order to show respect and support to other nations who are in periods of national mourning.

All flags should be displayed with respect and in a dignified manner.

They should not be flown in a worn, damaged or soiled condition as that could imply disrespect to the nation, occasion or organisation that they represent.

Flags shall not be flown during severe weather conditions or planned maintenance.

5. Requesting Guest Flags

Flags not included in this Policy and Protocol shall not be flown without gaining prior approval from the Council.

Applications for the flying of guest flags should be made in writing to the Council.

The Council's Finance/Premises Committee shall reasonably consider any request for the flying of a guest flag that does not contradict the principles of this Policy and Protocol.

In addition, it will take into account whether it is appropriate for the Council to display such support on behalf of its community. The decision should ultimately reflect the values of the Council and the wider Ecclesfield community.

Further, the decision of the Council to fly guest flags should be made in the spirit of displaying universal allegiance, support or respect or to celebrate a significant international, national or local occasion.

The Council shall not allow the use of flags for political purposes or for the purposes of commercial advertising.

Before approval to fly a guest flag is granted, it should be established whether the proposed date for the guest flag to be flown would conflict with that of other flags.

Approved by Council X XXXX 2021

Review Date XX XXXX 2023