

# **WILMINGTON PARISH COUNCIL**

## **Flag Flying Policy and Protocol**

### **1. Purpose of Policy**

- 1.1. Wilmington Parish 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.
- 1.2. 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.
- 1.3 This Policy reflects guidance from Central Government and is intended to provide a modern approach, reflecting the community of Wilmington. 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.
- 1.4 Regular inspections of the flagpole should be made to determine its safety and stability.

### **2. Context**

- 2.1 The flying of flags is not the subject of statute law in England, Wales or Scotland. The Government liberalised the regulations surrounding the flying of flags in England in October 2012.
- 2.2 Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, for planning permissions, flags are normally treated as a form of advertising. Therefore, some flags require formal consent from the planning authority before they may be displayed.



2.3 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 and should not obscure or hinder the interpretation of road, rail, waterway or aircraft signs.

2.4 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 flags, civil ensign or civil air ensign
- The flags of the Commonwealth, the United Nations or any international organisation of which the United Kingdom is a member
- The flag of any island, county, district, borough, parish, city, town or village within the United Kingdom
- The flag of the Black Country, East Anglia, Wessex; any part of Lincolnshire, and Riding of Yorkshire or any historic county within the United Kingdom
- The flag of St David and St Patrick
- The flag of any administrative area within any country outside of the United Kingdom
- Any flag of His 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.

2.5 There are a number of categories of flag that may be flown without consent, but which are subject to certain planning restrictions regarding the size of the flag, the size of characters on the flag, and the number and location of the flags. This applies to flagpoles located on a building or within the grounds of a building.

These include:

- 'house flags' that display 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
- the horizontal striped rainbow flag, such as the "Pride" Flag – this flag is an international symbol of the lesbian, gay, bisexual and transgender social movements. It is commonly flown by Local Authorities round Britain during local Pride celebrations in order to demonstrate their commitment to equality and the inclusion of all citizens, as it is widely interpreted as a universal symbol of freedom rather than the emblem a 'political' group.
- specified award schemes (such as 'Investors In People' and 'Green Flag').

2.6 The matter of flag flying on local government buildings is not bound by any specific directive. It remains for individual Local Authorities to establish their own flag flying protocols.

2.7 The flag flying policies of Local Authorities in the UK vary widely in their content, formality and the number of flagpoles available on each council building.

2.8 Advice is issued by the Department for Culture, Media and Sport (DCMS) on the flying of national flags on government buildings. 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.

2.9 The Flag and Heraldry Committee and the Flag Institute produced flag flying guidance in 2010. The guidance covers the protocol which applies to flying flags in a variety of situations and



aims to ensure flags in the UK are flown correctly and treated with dignity and respect. This guidance has been relied upon in the production of the Darenth Parish Council Policy.

### **3. Arrangements for the displaying of flags**

3.1 This Policy seeks to formalise the protocol for the flying of flags at Oakfield Park set out in paragraph 3.6.

3.2 The protocol and planning restrictions detailed within this Policy apply to all flags displayed on Parish Council property, this is its responsibility and under its control.

3.3 A flag incorporating the emblem of a religious group or political party, whether it is a party within the UK or abroad, or any flag containing any emblem or device designed to affect support for a religious group or political cause, shall not be flown from any Council flagpole.

3.4 National flags shall be flown at St Margaret's Church Memorial in accordance with the designated days provided by the Department of Culture Media and Sport (DCMS) and with due respect to the protocol detailed by the Flag Institute. The Union Flag is the national flag of the United Kingdom, the Crown Dependencies and Overseas Territories.

3.5 National flags should be displayed with respect and in a dignified manner, as befitting national emblems and should not be displayed in a position inferior to any other flag or ensign.

3.6 Except with special approval, the only flags that may be flown from the flagpole at Oakfield Park are:

- The Union Flag
- The Cross of St George Flag
- The Armed Forces Day Flag

3.7 Some other flags may be flown at Oakfield Park. These must relate to a national or local celebration/commemoration, a charitable event taking place at Oakfield Park or in the Wilmington community.

Within the agreed protocol, Wilmington Parish Council has delegated the authority to decide which additional flags could be flown, to The Clerk and Responsible Officer, after consultation with the Chairman of the Council.

### **4. Protocol & Procedure for flying flags**

4.1 The Union Flag shall be flown continuously whilst the The Cross of St George and the Armed Forces Day flags shall be flown on the specified day between the hours of 8.00am and 3.00pm

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

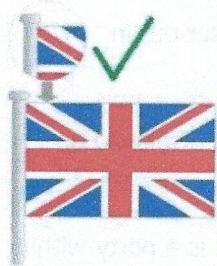
4.3 Flags should not be flown in a worn, damaged or soiled condition as that could imply disrespect to the nation, occasion or organisation that they represent.

4.4 The flag that will normally be displayed permanently is The Union Flag



4.4.1 Wilmington Parish Council shall fly the Union Flag, or other appropriate flag, at Oakfield Park to mark occasions in accordance with guidance from the DCMS

4.4.2 The Union Flag shall be flown the correct way up, as illustrated below.



The wider diagonal white stripe must be above the red diagonal stripe, closest to the pole.

4.4.3 The Union Flag shall normally 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 the Prime Minister (or ex-Prime Minister)
- d) On the death/ funeral of a serving member of the Armed Forces from Darent
- e) At the discretion of the Chairman of the Council or after 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 a major incident where British lives are lost (for instance, a terrorist attack or a major incident on British soil or abroad)
- f) At the discretion of the Chairman of the Council or after guidance from the Department of Culture, Media and Sport the Union Flag may be flown at half-mast in order to show respect and support to other nations who are in periods of national mourning.

4.4.4 When flying the Union Flag at half-mast it will be flown two-thirds of the way up the flagpole with at least the height of the flag between the top of the flag and the top of the flagpole.

4.4.5 When a flag is to be flown at half-mast, it should first be raised all the way to the top of the mast, allowed to remain there for a second and then be lowered. When it is being lowered from halfmast, it should again be raised to the top of the mast for a second before being fully lowered.

4.4.6 When the Union flag is flown on designated days which coincide with days for flying at halfmast, (e.g. a member of the Royal Family, or a near relative of the Royal Family, may be lying dead) the Union flag will be flown at full mast all day, unless special commands are issued by HM the King to the contrary.

4.5 The Cross of St George Flag (the English National Flag) shall be flown on St George's Day on 23rd April.

4.6 The Armed Forces Day Flag shall be flown on Armed Forces Day in June

## 5. Requesting Guest Flags

5.1 Flags not included in this Policy, including those of other nations, shall not be flown without gaining prior approval from the Parish Council.

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



5.3 The Council shall reasonably consider any request for the flying of a guest flag that does not contradict the principles of this Policy. The decision-making process should take into account the following:

5.3.1 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.

5.3.2 It should be considered whether it is appropriate for the Parish Council to display such support on behalf of its communities.

The decision should ultimately reflect the values of Darenth Parish Council.

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

5.3.4 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.

## **6. Policy Review**

The Council will review this policy periodically and/or in respect of any future revisions to Government guidance.