

Subject:	Flag Flying Policy
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Appendix 1 - Flag Flying Request Form

1. Introduction

Flags are a way of expressing joy and pride – they are emotive symbols which can boost local and national identities as well as strengthening community cohesion and marking civic pride.

Flags are treated as advertisements for the purposes of the planning regime, and some require formal consent (permission) from the local planning authority, whereas others do not.

This policy has been drafted in compliance with Government guidance and regulations for their flag flying protocols while also providing scope for which cultural diversity can be celebrated in the town.

2. Scope

This policy relates to flags being flown from the flagpole on the balcony of Newbury Town Hall.

3. Guidelines

The Newbury Coat of Arms Flag will be the default flag that is flown from the Town Hall flagpole.

Flag Categories

Subject to compliance with the Government standard flag flying 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”).

Category A. Flags which do not need consent

The recent changes allow a wider range of national, sub-national, community and international flags. The full list of flags that do not require consent are available on DCMS website but include:

- (a) Any country’s national flag, civil ensign, or civil air ensign.
- (b) The flag of the Commonwealth, the United Nations, or any other international organisation of which the United Kingdom is a member.
- (c) A flag of any island, county, district, borough, burgh, parish, city, town, or village within the United Kingdom.
- (d) The flag of any historic county within the United Kingdom.

- (e) The flag of Saint David.
- (f) The flag of Saint Patrick.
- (g) The flag of any administrative area within any country outside the United Kingdom.
- (h) Any flag of His Majesty's forces.
- (i) 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.

Green and blue environmental award scheme flags

The regulations allow a flag of the Blue Flag Award scheme to be flown from a flagpole on part of a beach or marina and a flag of the Green Flag Award scheme or Green Flag Community Award scheme to be flown on part of a park, garden or other green space, without the need for consent.

Category B. Flags which do not require consent provided they comply with certain restrictions

Several 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:

- a) House flag - the flag is allowed to display the name, emblem, device or trademark of the company (or person) occupying the building.
- b) Flags that refer to a specific event of limited duration that is taking place in the building from which the flag is flown.
- c) Any sports club (but cannot include sponsorship logos). This should be reserved for special occasions/celebrations.
- d) The horizontal striped rainbow flag, such as the "Pride" Flag.
- e) Specified award schemes - Eco-Schools, Queen's Awards for Enterprise and Investors in People.
- f) the NHS flag.
- g) Green and Blue environmental award scheme flags.

The restrictions of flying this category of flag relate to where the flagpole is located on a building:

- a. Only one flag on a projecting flagpole on a building is permitted.
- b. The flag may not exceed 2 square metres in size.

- c. No restrictions on the size of characters.

Category C. Flags which require consent

Any flag not identified above requires express consent from the local planning authority under the Town and Country Planning Regulations before it can be flown.

4. Flying the Union Flag

The Union Flag is the national flag of the United Kingdom of Great Britain and Northern Ireland, the Crown Dependencies and the Overseas Territories. It is a symbol of national unity and pride. The first Union Flag was created in 1606 and combined the flags of England and Scotland; the present Union Flag dates from 1801.

There are designated days when the Union Flag must be flown on UK government buildings by command of His Majesty the King. However, UK government buildings are encouraged to fly the Union Flag all year around.

The government guidance is aimed at UK government buildings. However, local authorities and other local organisations are encouraged to follow suit where they wish to fly flags.

Where UK government buildings only have one flagpole, the Union Flag should be flown every day except on certain occasions when you may wish to fly other flags, including but not limited to, the national flags of the constituent nations of the United Kingdom, the Armed Forces flag, the Commonwealth flag, county and other local flags, and other flags which may promote civic pride.

UK government building flagpoles should never remain empty – the default should be flying the Union Flag if no other flag is being flown.

Newbury Town Council will follow the Department for Culture, Media and Sport guidance for flying the Union Flag from government buildings.

5. Other Flags

Newbury Town Council will fly the following flags on the following days as default without requirement for an application:

- 1 March: St David's Day – Welsh flag
- 13 March: Commonwealth Day – Commonwealth flag
- 23 April: St George's Day – St George Cross
- 17 May: International Day Against Homophobia, Biphobia, Lesbophobia and Transphobia – Rainbow Flag

- 24 October: United Nations Day – UN
- 30 November: St Andrew's Day – St Andrew's Cross

6. Flying flags at half-mast

Half-mast means the flag is 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. The Union Flag will be flown at half-mast on the following occasions:

- a. The death of a member of the monarchy, the prime ministers, or others in accordance with British flag protocol.
- b. The death or funeral of a serving officer in the armed forces from the Town.
- c. The death or funeral of a freeman of the Town, mayor, former mayor or member of the council.
- d. At the discretion of the mayor or chief executive, in accordance with the council's mourning protocol.

7. Process for Dealing with Flag Flying Requests

All flag requests will follow the Government's published restrictions on flag flying and will have to meet the requirements on size and condition of the flag.

When a request for flying a flag comes into the Town Council this should be sent directly to the Civic Manager, or to the CEO in their absence.

It will then be determined which category the flag flying request falls into; A, B or C.

Any applicant whose request falls into Category C will be encouraged to contact West Berkshire District Council with their request.

Categories A and B, will be required to complete a Flag Flying Application Form (**Appendix 1**) and this will be taken to the next available Full Council or Committee Meeting to be consulted upon. The item will need to be added to the agenda of the meeting with the Application Form as an accompanying appendix.

Once a decision has been made by the Council or Committee; if approved, arrangements will then be made with the Town Hall Officer to fly the flag on the date specified on the application form and taken down the following day after the specified date. As default, flags will be flying for 1 day, however requests can be made for the flag to be flown for up to a maximum of 1 week.

In exceptional circumstances, a flag can be flown for a maximum of 3 months with express permission from the Civic Pride, Arts and Culture Committee.

If any requests to fly any other flags, regardless of if they fall into category A, B or C, fall on the same day as a designated Union Flag Flying Day, the Union Flag takes precedence.

The Council reserves the right to refuse request for flag flying requests on the grounds that:

- The Union Flag will be flying on the same day.
- The request falls outside the government guidelines.
- The flag flying would be disruptive to the Council.
- The flag flying would affect community cohesion or relations.

The Town Council holds the right to manage ad hoc flag flying requests which may fall outside the threshold of the application form. These requests will be dealt with on a case-by-case basis with the Leader of the Council, Mayor and Chairperson of the Civic Pride, Arts and Culture Committee. This is on the basis that flags can be flown for a maximum of 3 months, and then the decision will be reviewed whether it should continue to be flown at the next meeting of the Civic Pride, Arts and Culture Committee.

8. Condition of Flags

All flag flying is subject to some standard conditions. All flags must:

- 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.

9. References

POLICY	Section
Newbury Town Council Strategy	
Town and Country regulations 2007	
https://www.gov.uk/guidance/designated-days-for-union-flag-flying	
https://www.gov.uk/government/publications/flying-flags-a-plain-english-guide/flying-flags-a-plain-english-guide	

Appendix 1**Flag Flying Request Form**

This form to request the flying of a flag from Newbury Town Hall's flagpole on the balcony of the Town Hall.

This form must be completed and submitted to mayor@newbury.gov.uk or by post no later than 3 weeks before the date of the flag flying date.

Once the form has been submitted, the Councillors will discuss the item at their next available meeting and will be added to the agenda. We endeavour to notify you which meeting this may be, though this may not always be possible.

Please note that this form will be used as an accompanying Appendix item to be discussed at Town Council meetings.

The flag you have requested to fly will be flown for one day. Requests for flying for longer can be considered with express permission from the Civic Pride, Arts and Culture Committee.

Once a decision has been made, we will contact you to confirm the outcome and further arrangements as required.

The Council reserves the right to refuse request for flag flying requests on the grounds that:

- The Union Flag will be flying on the same day.
- The request falls outside the government guidelines.
- The flag flying would be disruptive to the Council.
- The flag flying would affect community cohesion or relations.

Please give as much information as possible about your plans as this will support your request. Failure to provide such sufficient information may result in your request being denied.

Section 1: About You	
Name	
Address	
Email	
Telephone	
Organisation	

Section 2: About Your Flag Flying		
What nationality, community or group is being celebrated?		
What flag do you wish to fly?		
What date would you like to fly this flag?		
Do you already have a flag to provide?	Yes	No
Please confirm that you would be able to provide the flag the day before the date you wish to fly the flag. This is to ensure our staff can safely prepare the flag in advance of it being raised.		
This form is completed on the basis that the flag will be flown for 1 day.		

Section 3: Additional Information		
Will you require any rooms inside the Town Hall?	Yes	No
If 'yes' a room booking form will be required to be completed. We cannot guarantee that we will be able to meet your request if the room has already been booked by another party.		
Do you plan to host a flag raising ceremony on our Town Hall Steps? If so, please outline full details regarding speeches, VIP guests and dignitaries in attendance, programme timings, speeches etc.	Yes	No
Please provide any further information that you may feel is relevant for Council consideration to support your application.		

Name:

Date:

Please return this form to mayor@newbury.gov.uk