

CONSTITUTION AND STANDARDS COMMITTEE

Wednesday 23 June 2021

REPORT TITLE:	FLAG FLYING PROTOCOL
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The report provides the Constitution and Standards Committee with an overview of the current Flag Flying Protocol as adopted by the Standards and Constitutional Oversight Committee in October 2016, and an opportunity to review the Protocol in light of further guidance from the Ministry of Housing, Communities and Local Government on flying of the Union Flag.

RECOMMENDATION/S

The Constitution & Standards Committee is recommended to comment on the report and agree that a detailed review be undertaken of the existing Flag Flying Protocol by the Governance Working Group and that a further report be submitted to a future meeting.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The need for a review of the existing Flag Flying Protocol is to ensure that it is fit for purpose and accords with new national guidance on the flying of the Union Flag.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to review the Flag Flying Protocol at the present time.

3.0 BACKGROUND INFORMATION

- 3.1 On 4 October 2016, the Standards and Constitutional Oversight Committee approved a revised protocol in relation to the flying of flags at Wallasey and Birkenhead Town Halls. The aim was to standardise procedures and to consult members on the content of the Flag Flying Protocol.
- 3.2 Following its adoption, the day-to-day management of the flying of flags at Wallasey and Birkenhead Town Halls has been overseen by Committee Services in accordance with the protocol.
- 3.3 On 26 March 2021 the Secretary of State for Housing, Communities and Local Government wrote to all Leaders and Chief Executives in England to advise on newly published guidance on the flying of the Union Flag from UK Government buildings and encouraged local authorities to fly the Union Flag more frequently.
- 3.4 The letter outlined the Ministry of Housing, Communities and Local Government's intention to amend the Control of Advertisements regulation for England to permit double flagging without the need for express consent, to allow other flags to be flown alongside the Union Flag on the same flagpole, providing the Union Flag is in the superior position.
- 3.5 The Ministry of Housing, Communities and Local Government would also be allowing flags in support of the NHS to be flown without the need for express consent, as well as removing the current exemption for the flying of the EU flag following the UK's departure from the EU.
- 3.5 Therefore, the Constitution and Standards Committee is asked to consider Wirral Council's existing Flag Flying Protocol and ensure that it is fit for purpose.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 There are no legal implications arising from this report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The day-to-day management of the flying of flags at Wallasey and Birkenhead Town Halls is overseen by Committee and Civic Services.

7.0 RELEVANT RISKS

- 7.1 If the Flag Flying Protocol is not kept up to date there is a risk that the Council could potentially fly flags not in accordance with national guidance.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 It is suggested that the Constitution and Standards Committee delegates consideration of reviewing the Policy to the Governance Working Group.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no direct environment or climate implications arising from this report.

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APPENDICES

Appendix 1 – Flag Flying Protocol

Appendix 2 – Union Flag Priority

BACKGROUND PAPERS

Letter from Secretary of State for Housing, Communities and Local Government
Civic Handbook

SUBJECT HISTORY (last 3 years)

Council Meeting	Date