

**To:** Cabinet  
**Date:** 22 January 2020  
**Report of:** Head of Law and Governance  
**Title of Report:** City of Sanctuary flag flying

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To seek Cabinet approval to fly the "City of Sanctuary" flag annually on 20 June for World Refugee Day and 18 December for International Migrants Day, following a cross-party motion passed by Council on 22 July 2019.
<b>Key decision:</b>	No
<b>Cabinet Member:</b>	Councillor Susan Brown, Leader, Economic Development and Partnerships
<b>Corporate Priority:</b>	Strong and Active Communities
<b>Policy Framework:</b>	Corporate Plan 2016-2020
<b>Recommendation:</b>	That Cabinet resolves to:
1.	<b>Authorise</b> the flying of the City of Sanctuary flag annually on 20 June for World Refugee Day and 18 December for International Migrants Day.

<b>Appendices</b>	
1.	Risk Register

## Introduction and background

1. The Council's Flag Flying Protocol was agreed by the City Executive Board (now Cabinet) on 13 March 2019. The protocol stipulates that decisions on annual or regular flag flying commitments must be considered by Cabinet, while the consideration of one off requests is delegated to the Head of Law and Governance in consultation with the Leader.

## City of Sanctuary motion

2. Council on 22 July 2019 unanimously passed a cross party motion titled "A City of Sanctuary" in which the Council, among other things, committed to flying the "City of Sanctuary" flag on World Refugee Day. Since decisions on annual flag flying commitments are a matter for Cabinet, this report seeks Cabinet authorisation to give effect to the flag flying commitment expressed in the Council motion. Consistent with the spirit of the motion, authority is also requested to fly the City of Sanctuary flag annually on International Migrants Day.

## **Flying the City of Sanctuary flag**

3. If the recommendation in this report is agreed, the City of Sanctuary flag will be flown annually on 20 June and 18 December from the mast above the Edinburgh Woollen Mill shop on the corner of St. Aldate's and High Street. As with all flag flying commitments, this will be subject to the weather, safe access to the flagpole, the availability of suitably trained staff and planning consent.

## **Financial implications**

4. The cost of the City of Sanctuary flag will be met from the existing Town Hall budget.

## **Legal issues**

5. The responsibility for flag flying to mark events and occasions lies with Cabinet under the Local Government Act 2000 as it is not specifically reserved to full Council. The flying of flags is not the subject of statute across Great Britain.
6. Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 flags are treated as advertising for the purposes of planning consent. Certain flags can be flown without the express consent of the local planning authority but the City of Sanctuary flag does not fall into this category. Planning consent will be requested if the recommendation in this report is agreed by Cabinet.

## **Level of risk**

7. Council commitments to fly flags may be regarded by organisations and communities as being a significant honour. The recommendation in this report would give effect to a commitment that has already been expressed by Council. A risk register is attached as Appendix 1.

## **Equalities impact**

8. Flags are emotive symbols that have the potential to cause controversy or create tensions between communities or interest groups whose views and interpretations may differ. The Council has a responsibility to carefully consider the potential impacts of flying flags on communities, equalities and protected characteristics. The recommendation in this report may be seen as promoting diversity and supporting marginalised and vulnerable groups without adversely impacting upon equalities or serving to disadvantage any groups.

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<b>Background Papers:</b> None