

Divisions Affected – All

CABINET 14 July 2026

Protocol for Flag Flying Report of Place Overview & Scrutiny Committee

RECOMMENDATION

1. The Cabinet is **RECOMMENDED** to —
 - a) Note the recommendations contained in the body of this report and to consider and determine its response to the Place Overview and Scrutiny Committee, and
 - b) Agree that relevant officers will continue to update Scrutiny for 12 months on progress made against actions committed to in response to the recommendations, or until they are completed (if earlier).

REQUIREMENT TO RESPOND

2. In accordance with section 9FE of the Local Government Act 2000, the Place Overview & Scrutiny Committee requires that, within two months of the consideration of this report, the Cabinet publish a response to this report and any recommendations.

INTRODUCTION AND OVERVIEW

3. The Place Overview & Scrutiny Committee considered a report on the Council's proposed Flag Flying Protocol at its meeting on 24 June 2026. This item was requested by the Committee so that it could consider the report before it was submitted to Cabinet on 19 July 2026.
4. The Committee would like to thank Councillor Neil Fawcett, Deputy Leader of the Council and Cabinet member for Resources, and Susannah Wintersgill, Director of Policy, Public Affairs, and Partnerships, for attending to present the report and answer the Committee's questions.

SUMMARY

5. The Deputy Leader and the Director introduced the report very briefly, explaining that the Protocol sought to formalise the current practice and to take account of what was intended to happen when the Council leaves County Hall.
6. It was noted that, with the retirement of the long-standing Head of Facilities Management, much of the corporate memory was at risk of being lost and so it had been considered necessary to document what customarily happened.
7. The Committee did not consider the proposed protocol to be either contentious or controversial but it did highlight two errors in the Protocol that it wishes to be remedied. The first is that Holocaust Memorial Day¹ should be consistently referred to as such rather than 'Holocaust Day.' The second error is that paragraph 4.8 of the Protocol should more correctly reference the Town and County Planning (Control of Advertisements) (England) Regulations 2007 (*as amended*). In 2012, these were amended so that the flags which do not require consent from the local planning authority include, inter alia, "The flags of the Commonwealth and the United Nations *or any other international organisation of which the United Kingdom is a member.*"
8. The Committee also agreed to make three recommendations: one about commemorating councillors who die; one about involving the Chair of Council; the third about removing one of the clauses which struck the Committee as unnecessary and probably counterproductive.

RECOMMENDATIONS

9. The Committee noted that other organisations, including but not limited to Oxford City Council² and Abingdon Town Council³, include explicit reference to flying a flag at half-mast to commemorate the death of both sitting and former councillors. At the City Council, it is flown at half-mast on the day of the member's funeral; at Abingdon Town Council, it is flown from the day of the announcement of death for a week or up to the day of the funeral for a serving town councillor.
10. The Committee did not consider it appropriate to prescribe precisely what arrangements should be made but considered it sufficient that the deaths of councillors should be noted within the Protocol.

¹ <https://hmd.org.uk/about-us/>

² <https://mycouncil.oxford.gov.uk/documents/s46979/Appendix%201%20-%20Oxford%20City%20Council%20Protocol%20for%20Flag%20Flying%20and%20Bell%20Ringing%20Final.pdf>

³ <https://www.abingdon.gov.uk/town-council/civic-life-council-events/flag-policy>

Recommendation 1: That the Council should include reference to a flag flying at half-mast to commemorate the death of sitting and former councillors, including Honorary Aldermen.

11. The Committee noted that the Protocol describes how civic flag flying responsibilities are delegated to the Director of Law and Governance and Monitoring Officer, in consultation with the Leader or Deputy Leader of the Council. It also states, at 7.1.(g), that the Director of Law and Governance and Monitoring Officer will consult the Leader of the Council and/or Chief Executive relating to one-off requests.
12. Given that, as the Protocol's preamble sets out, there could be the potential for controversy and given that the Chair of the Council is its civic head, the Committee is of the view that the Chair of Council should be consulted with regard to the Council's civic flag flying. This need not necessarily be instead of the Leader or Deputy Leader. Ultimately, the decision will be taken by the Director of Law and Governance and Monitoring Officer but the Committee's view is that the Chair of Council should be involved.

Recommendation 2: That the Council should ensure that the Chair of Council is consulted by the Director of Law and Governance and Monitoring Officer in relation to civic flag flying.

13. The Committee was somewhat bemused by 7.1.(i) which states "The council will retain neutrality and will consider flying a white flag when requests to fly flags of specific nations during times of conflict are made."
14. The Committee understood the intention of the Council in taking a neutral position. However, traditionally, the white flag is a sign of surrender rather than of neutrality. The Committee did not support the idea that a white flag should be flown on the Council's flagpoles and recommends that this be removed.

Recommendation 3: That the Council should remove reference to flying a white flag from the Protocol.

FURTHER CONSIDERATION

15. The Committee does not anticipate revisiting this topic again during this municipal year.

LEGAL IMPLICATIONS

16. Under Part 6.2 (13) (a) of the Constitution Scrutiny has the following power: 'Once a Scrutiny Committee has completed its deliberations on any matter a formal report may be prepared on behalf of the Committee and when agreed

by them the Proper Officer will normally refer it to the Cabinet for consideration.

17. Under Part 4.2 of the Constitution, the Cabinet Procedure Rules, s 2 (3) iv) the Cabinet will consider any reports from Scrutiny Committees.

Anita Bradley, Director of Law and Governance and Monitoring Officer

Annex: Pro-forma Response Template

Background papers: None

Other Documents: None

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July 2026