

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
Date of Decision:	20 OCTOBER 2015
SUBJECT:	REQUEST FOR THE USE OF THE COAT OF ARMS
Wards affected:	All

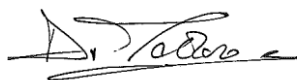
1. Purpose of report:

- 1.1 To consider an application for the use of the Coat of Arms by the Birmingham Local Dental Committee.

2. Decision(s) recommended:

- 2.1 The Committee is asked to determine the application.

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Signature:

Chief Officer(s):

Dated: 5 October 2015

List of Background Documents used to compile this Report:

Email from Secretary Birmingham Local Dental Committee.

List of Appendices:

3. Relevant background/chronology of key events:

Request for the Use of the Coat of Arms by the Birmingham Local Dental Committee

- 3.1 A request has been received from Mr V Sudra, Secretary Birmingham Local Dental Committee, for the use of the Coat of Arms.
- 3.2 The Committee is a statutory body representing all Birmingham Dentists and the Coat of Arms would be used on their letterhead. Mr Sudra is also seeking to use the Coat of Arms on the homepage of the Birmingham Local Dental Committee's website.

BACKGROUND IN RESPECT OF THE USE OF THE BIRMINGHAM COAT OF ARMS

- 3.3 Section 73 of the West Midlands County Council Act 1980 provides that –

“If any person without the consent of the local authority uses in connection with any trade, business, calling or profession any part of the armorial bearings of that authority, or any emblem or device closely resembling any such part, in a manner calculated to lead to the belief that he displays the part, emblem or device with the approval of that local authority, he may at the suit of the local authority be restrained by an injunction from continuing to use that part, emblem or device.”
- 3.4 The Coat of Arms is a dignity granted by Royal Charter and, as such, is not a property right. The Council cannot therefore license or authorise its use (by others) as such. All that the Council can do is to indicate whether it has any objection to its use. If the Council has no objection, then it would be safe to assume that it will not seek to restrain the use by way of an injunction.
- 3.6 The Committee's normal practice has been to indicate that the Council would object to the use of the Coat of Arms except on materials sponsored or produced by, or closely associated with, the Council or in other special circumstances.