

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES
Date of Decision:	23 JUNE 2015
SUBJECT:	REQUEST FOR THE USE OF THE COAT OF ARMS
Wards affected:	All

1. Purpose of report:

- 1.1 To note that a request to the use of the Coat of Arms by Denis Ramplin, Director of Marketing and Communications, The Schools of King Edward VI in Birmingham has been agreed in consultation with the Chair.

2. Decision(s) recommended:

- 2.1 The Committee notes the action taken by the Director of Legal and Democratic Services in consultation with the Chair in not objecting to the use the Coat of Arms by Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI on an owl artwork.

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Signature:

Chief Officer(s):

Dated: 18 June 2015

List of Background Documents used to compile this Report:

Email from email from Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI.

List of Appendices:

None.

3. Relevant background/chronology of key events:

Request for the Use of the Coat of Arms by Denis Ramplin, Director of Marketing & Communications, The Schools of King Edward VI

- 3.1 The request was for the use of the Coat of Arms on an owl artwork as part of the 'The Big Hoot' public art event which has been organized by Birmingham Children's Hospital and Wild in Art to raise funds for the Hospital and is supported by the City Council. Schools of King Edward VI are the Educational sponsor for the event. A number of Owls will be placed across Birmingham for 10 weeks from 20 July 2015. The School's Owl has been designed by a pupil of the school with the School's crest on the front and the City's Coat of Arms on the rear and will be located at St Martin's Church.
- 3.2 The reason for seeking agreement for the request by means of action taken by the Director of Legal and Democratic Services in consultation with the Chair of Council Business Management Committee was because of the need to have a decision before this meeting of the Committee so that the necessary artwork could be commissioned to allow completion before the 20 July 2015.
- 3.3 The support of the City Council for the event was noted in reaching the decision.

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

- 3.4 Section 73 of the West Midlands County Council Act 1980 provides that –
- 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.”
 - 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.
 - 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.