

**BIRMINGHAM CITY COUNCIL****PUBLIC REPORT**

<b>Report to:</b>	<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE</b>
<b>Report of:</b>	<b>Director of Legal and Democratic Services</b>
<b>Date of Decision:</b>	<b>28 July 2015</b>
<b>SUBJECT:</b>	<b>REQUEST FOR THE USE OF THE COAT OF ARMS</b>
<b>Wards affected:</b>	<b>All</b>

**1. Purpose of report:**

- 1.1 To consider an application for the use of the Coat of Arms by Two Towers Brewery.

**2. Decision(s) recommended:**

- 2.1 The Committee is asked to determine the application.

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**Signature:**

Chief Officer(s):

Dated: 23 July 2015

**List of Background Documents used to compile this Report:**

Email from Two Towers Brewery.

**List of Appendices:**

Appendix – example of use of the Coat of Arms.

### **3. Relevant background/chronology of key events:**

#### **Request for the Use of the Coat of Arms by Moseley Rugby Club**

- 3.1 A request has been received from Two Towers Brewery for the use of the Coat of Arms.
- 3.2 Two Towers Brewery is based in Birmingham and have a unique selling point and product focus to promote and celebrate Birmingham's heritage, people and world class visitor attractions. The brewery would like to use aspects of the Coat of Arms as part of marketing for the Rugby World Cup campaign which begins in September 2015. Specifically it would be incorporated on the brewery's pump clips and bottle label for a real ale that the brewery is brewing. The appendix to the report sets out the design.

#### **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.