



**BERWICKSHIRE AREA FORUM
TO BE HELD ON
THURSDAY, 2 JUNE, 2016**

**Please find attached supplementary report in respect of
Item No 12 on the agenda for the above meeting**

12.	Any Other Items Previously Circulated. (Pages 3 - 6)	
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BERWICKSHIRE FLAG

Briefing paper by Clerk to the Council

BERWICKSHIRE AREA FORUM**2 June 2016**

1 PURPOSE

- 1.1 This briefing paper advises the Berwickshire Area Forum of the options available regarding a Berwickshire flag.**

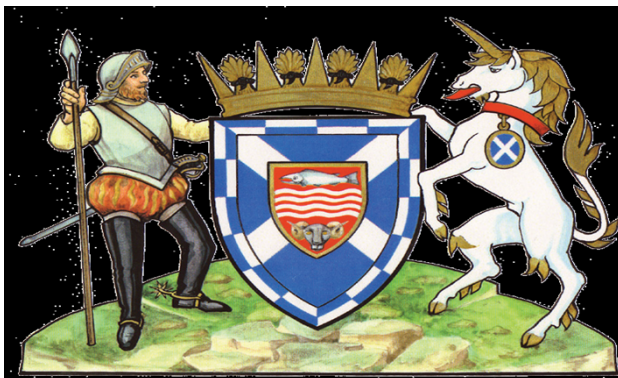
2 BACKGROUND

- 2.1 At its meeting on 4 December 2014, the Chairman advised members of Berwickshire Area Forum that he had received a question from Foulden, Mordington and Lamberton Community Council querying the protocol with regard to flag flying at the national Scottish/English border at Lamberton Toll. On the north side of the border, three Saltires were being flown, while at the south side, the Union Flag, the St George's Cross and the Northumberland flag were being flown. The responsibility for the northbound layby was remitted to Transport Scotland as the agency responsible for Scotland's trunk roads. It was suggested at this meeting that a Union Flag, a Saltire and a new flag incorporating the Berwickshire Coat of Arms be flown at the border on the north side. While it was acknowledged no such Berwickshire flag existed, enquiries could be made with the Court of the Lord Lyon, the official heraldry office for Scotland. Enquiries would also need to be made with Transport Scotland.
- 2.2 At its meeting on 5 March 2015, the Chairman reported that he had written to Transport Scotland to explore what flexibility there might be in relation to flags being flown at the border at Lamberton Toll. Transport Scotland's Area Manager had confirmed in her response that any formal proposal for alteration to the type of flags flown at the border would require the views of external stakeholders such as VisitScotland and Scottish Borders Council following on from a formal detailed request proposing alteration of the existing flag arrangements. Any flag would also require approval from Transport Scotland's operating company (Amey) which maintained the current provision of flags at Lamberton Toll.
- 2.3 At its meeting on 3 December 2015, the Chairman gave a brief summary of the various issues relating to this matter. After discussion the Area Forum noted that as the Scottish Borders Council had already been granted use of the SBC Coat of Arms, this could be flown as a flag however, wherever and whenever the Council wished. Accordingly, the option of flying the Saltire, Union Flag and SBC flag at the national border at Lamberton Toll should be explored. At the same time, enquiries should be made with the Lord Lyon's Court about the possibility of requesting a grant to Scottish Borders Council

or another legal entity for the use of the Coat of Arms of the ancient County of Berwickshire, which could then be used on a flag.

3 THE SCOTTISH BORDERS COUNCIL ARMS and BERWICKSHIRE COUNTY ARMS

- 3.1 The Scottish Borders Council arms consist of a St Andrew's cross within a blue and silver bordure surmounted by a red inescutcheon with a gold fimbriation. The wavy barrulets on the inescutcheon denote the River Tweed; they are four in number to recall the four Districts in the former Regional Council (including Berwickshire District); the salmon and the ram's head represent the fishing, agricultural and woollen manufacturing industries of the area. The dexter supporter is one of the famous Border knights and the sinister supporter is the unicorn (see below).



- 3.2 The Berwickshire County coat of arms was officially granted on 10 October 1890, and show a bear chained to a Wych Elm, a pun on the name of the Country. It was based on the arms of the town of Berwick-upon-Tweed, now in England, but once in Scotland and the county town.



- 3.3 The arms for the successor District Council were granted on 12 November 1975 and comprised the arms of the former county council with a crown of a district council. However, the District Council was not identical with the County area, as the Burgh of Lauder and most of the county's west district were included in the Ettrick and Lauderdale District, with the Parish of Nenthorn becoming part of Roxburgh District.



4 CONSIDERATIONS MOVING FORWARD

- 4.1 The Lord Lyon King of Arms, head of Lyon Court, one of the Great Officers of State in Scotland, controls the use of coats of arms and flags in Scotland. Further advice on flag design, competitions and registration of flags can also be provided by the Flag Institute, the UK's national flag charity which maintains and manages the national UK Flag Registry. Further, flag flying is covered by planning constraints. Scottish Borders Council has its own Flag Flying Protocol regarding the types and occasions when flags may be flown from Council buildings.
- 4.2 Members of the Area Forum will need to consider whether they wish to take forward an existing Berwickshire coat of arms – and if so, whether this should be the original county arms or those of the district council, bearing in mind the old county arms do not relate to the same boundaries as those of the existing Wards of East and Mid Berwickshire of Scottish Borders Council. It would be possible for Scottish Borders Council or another entity, such as the Berwickshire Civic Society, to petition for one of these.
- 4.3 Another option is to consider a new, non-heraldic flag (ie one with no heraldic symbols), with the final design being approved by the Lord Lyon, who would ensure that the design and colours were not in conflict with other flags and that the design also is a suitable representation of the area. However, care would need to be taken to ensure that all the communities within Berwickshire were supportive of such a flag. In designing a new flag, consideration would need to be given to simplicity, the use of meaningful symbols, the use of colours, and how the flag would look either when flying from a flag pole in strong wind or conversely when hanging in windless conditions.
- 4.4 Once the decision has been made about which flag to take forward, officers of the Council could provide further details to the Lord Lyon for consideration and advice on the next steps, including flying the flag. A formal proposal can then also be made to Scottish Government about what flags the communities in Berwickshire would wish to see flying at the national border, although it needs to be borne in mind that it is a national border and some people have expressed support to retain the 3 Saltires currently flying there.

- 4.5 The cost of producing a flag (depending on size) are roughly £25 for origination and £100 per flag, if bought individually plus delivery costs of about £18. The price per flag reduces depending on the number of flags purchased at any one time. There are also costs associated with the petition to grant use of a coat of arms. These costs start at £350 and can be up to £4,000.

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Background Papers: Various emails and website searches

Previous Minute Reference: Berwickshire Area Forum – 3 December 2015

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

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