



Subject:	Call in – Belfast Citywide Tribunal Service
Date:	1 st July 2025
Reporting Officer:	Nora Largey, City Solicitor
Contact Officer:	Jim Hanna, Democratic Services & Governance Manager Helen Kernan, Solicitor, Legal Services

Restricted Reports

Is this report restricted?

Yes

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No

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Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

1.0	Purpose of Report or Summary of main Issues
1.1	<ul style="list-style-type: none"> To provide Council with a copy of the legal opinion which was obtained in relation to the call-in of the Council decision at its meeting of 2nd June 2025 regarding delivery of the Belfast Citywide Tribunal Service (A copy of the minutes of the June Council meeting are attached at Appendix One).
2.0	Recommendation
2.1	<p>Council is asked to:</p> <ul style="list-style-type: none"> Note the contents of the legal opinion; Note that the call-in was not considered to have merit on either procedural grounds or community impact grounds; Note that the Council should keep the transition to procured services under close scrutiny to ensure that there is continuity in service provision. Note that as the decision was called-in, the approval for the public advertisement of the Belfast Citywide Appeals Service was not able to be brought to the June meeting of the Strategic Policy & Resources Committee. Therefore, to enable the procurement to proceed in a timely manner, Council is asked to approve the public advertisement of the tender as per Standing Order 37a for delivery of a Belfast Citywide Appeals Service from 1 October 2025 to 31 March 2028 (with the possibility of extension to March 2030) with an estimated contract value of £270k per annum.
3.0	Main Report
3.1	<p><u>Background</u></p> <p>At its meeting on 2nd June 2025, Council ratified a decision taken at May P&C Committee for delivery of the Belfast Citywide Tribunal Service until the end of September by Ligoniel Improvement Association until the end of September 2025 and for the undertaking of a procurement exercise for the future delivery of the service from 1st October 2025 until 31st March 2028 .</p>
3.2	<p>On 2nd June 2025, the Council ratified the minute of the P&C Committee of 6th May 2025. The Chief Executive received a call-in on 11th June 2025, which called the decision in on both procedural grounds and community impact grounds.</p>

	<u>Call-in Process</u>
3.3	Members will be aware that the call-in process is provided for in Section 41 of the Local Government Act (NI) 2014 ('the 2014 Act'), with more detailed provision about how that process operates being contained within the Council's Standing Orders.
3.4	In accordance with Section 41 of the 2014 Act, 15% of members may ask for a decision to be called-in because they consider that the decision is flawed on "either or both of the following grounds— (a) that the decision was not arrived at after a proper consideration of the relevant facts and issues; (b) that the decision would disproportionately affect adversely any section of the inhabitants of the district". Members will note that the call-in requisition referred to both grounds, namely that the decision was not arrived at after proper consideration of the relevant facts and issues AND an alleged disproportionate adverse impact upon a section of the inhabitants.
3.5	In accordance with Standing Orders, on receipt of an admissible call-in under Section 41(1)(b), the opinion of a practicing barrister was sought on whether the call-in has merit. Counsel's opinion was obtained and a copy of their opinion is attached at Appendix Two. Members are asked to note that Counsel considered that the call-in did not have merit on either the procedural or community impact grounds. It does however recommend that Council continues to monitor the tender process to ensure that there is continuity of service provision.
3.6	In accordance with Standing Order 48(b)(9), the legal opinion is being placed before the next available meeting of the Council. Given the opinion includes detailed information on the business and financial affairs of both the Council and a third-party organisation, the legal opinion has been restricted.
3.7	As the decision was called-in the approval for the public advertisement of the Belfast Citywide Appeals Service was not able to be brought to the June meeting of the Strategic Policy & Resources Committee. Therefore, to enable the procurement to proceed in a timely manner, Council is asked to approve the public advertisement of the tender as per Standing Order 37a for delivery of a Belfast Citywide Appeals Service from 1 October 2025 to 31 March 2028 (with the possibility of extension to March 2030) with an estimated contract value of £270k per annum.
4.0	Equality & Good Relations Issues None other than those detailed in the report above and considered in Counsel's opinion.
5.0	Appendices

	Appendix 1 –Minutes of Council meeting on 6 th May 2025 Appendix 2 - Legal Opinion on call-in requisition dated 23 rd June 2025 Appendix 3 – Copy of the call-in requisition
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