

Call-in requisition form

Section 41(1) of the Local Government Act (Northern Ireland) 2014 provides that a decision of the Council or one of its Committees can be called in for reconsideration if at least 15% (9 Members) of the total number of Members request it on the basis that the decision:

- (a) was not arrived at after a proper consideration of the relevant facts and issues; and/or
- (b) would disproportionately affect adversely any section of the inhabitants of the district..

We, the undersigned, require that the following decision of the Committee be called in for reconsideration.

Date of Committee meeting	<i>Monday 3rd February 2025</i>			
Minute Heading	<i>B915 - ARMED FORCES COVENANT (3b)</i>			
Section under which call-in is being requested (please tick)	Section 41(1)(a) Procedural grounds	<input checked="" type="checkbox"/>	Section 41(1)(b) Community impact grounds	

	Print name	Signature
Alderman	James Lawlor	
Councillor	Ruth Brooks	
Councillor	Sarah Bunting	
Councillor	Tracy Kelly	
Councillor	Davy Douglas	
Councillor	Sammy Douglas	
Alderman	Dean McCullough	
Councillor	Jordan Doran	
Councillor	Bradley Ferguson	
Councillor	Ian McLaughlin	
Councillor	Nicola Verner	
Councillor	Andrew McCormick	
Councillor	Fred Cobain	
Alderman	Frank McCoubrey	

Date 12/02/2025

Reasons for call-in

(Please outline below the reasons why you consider that the decision should be called in. Failure to provide adequate reasons to support your request may invalidate the Call In).

A. Call-in under Section 41(1)(a) – Procedural grounds

That the decision was not arrived at after a proper consideration of the relevant facts and issues

	Reasons
1	The Motion was incorrectly referred to SP&R at the Standards & Business Committee citing financial implications. There were no financial implications attached to the motion.
2	The Motion was passed at the January 2025 Full Council Meeting and due to there being no finance or resource implications, was not required to go back to SP&R as a fresh motion.
3	The Motion should have been proposed for adoption, debate at full council or rejection at the Standards and Business Committee.

Explanatory Notes

If the decision is properly requisitioned for Call In by at least 9 Members of the Council and the number of Members so requesting the Call In remains at that number at the expiration of the call in period, the decision will not be submitted to the Council for ratification and the Chief Executive will summon a meeting of an Ad-Hoc Committee comprising the Chairs and Deputy Chairs of the 7 Committees.

On a procedural call-in, authority is delegated to the City Solicitor, in consultation with the Chief Executive, to obtain legal to be tabled at the meeting of the ad hoc committee, if it is their view that this will assist in addressing the issues raised within the call-in.

That Ad Hoc Committee will be empowered to make the following decisions on the matter which has been called in:

- (a) Refer the decision back to the Committee which took it for further consideration; or
- (b) Refer the decision of the Committee which originally took it to the next available meeting of the Council for ratification.

The Members who submitted requisitions on the decision called in shall be invited to attend the meeting of the Ad-Hoc Committee which is considering the request and may, with the consent of the Committee, address the meeting but they shall not have voting rights.

The Chair and Deputy Chair of the Committee where the decision in question was originally taken shall also not have voting rights at the Ad-Hoc Committee which is considering the request.

The following grounds are suggested as legitimate reasons why a Member or Members might seek for a decision to be called in on procedural grounds:

- A. Misapplication/misunderstanding as to legal requirements
- B. Failing to take into account relevant considerations/failure to exclude irrelevant considerations including factual mistake
- C. Failure to follow a procedural requirement
- D. Failure to have a fair hearing
- E. Failure to give reasons

B. Call-in under Section 41(1)(b) – Community impact grounds

That the decision would disproportionately affect adversely any section of the inhabitants of the district

		Reasons
1	The community affected by the decision	
2	The nature and extent of the disproportionate adverse impact	

Explanatory Notes

If the decision is properly requisitioned for Call In by at least 9 Members of the Council and the number of Members so requesting the Call In remains at that number at the expiration of the call in period, the decision will not be submitted to the Council for ratification and the Chief Executive will within 1 working day seek the opinion of a practising solicitor or barrister on the validity of the Call in.

When the opinion of the solicitor or barrister is received by the Chief Executive she shall:

Where the opinion confirms that the call in has merit

1. circulate the opinion to the Members of Council; and
2. include the decision of the Committee on the agenda for the next available meeting of the full Council for decision.

Please note that the full Council will be required to decide on such a matter by way of a qualified majority vote where at least 80% of the members present and voting will be required to support a decision.

Where the opinion indicates that the call in does not have merit

1. circulate the opinion to the Members of Council; and
2. include the decision on the agenda for the next meeting of the full Council for ratification by way of a simple majority decision.

The following advice is offered to assist Members considering calling in a decision on Community Impact grounds:

- A. The decision or policy was not screened for compliance with Section 75 of the NI Act 1998

- B. The decision in question is contrary to a strategic or community plan or policy agreed by the council
- C. The decision is in conflict with the council's equality scheme
- D. For decisions requiring an equality impact assessment, the assessment was not properly conducted
- E. The disproportionate impact of a decision outweighs its beneficial effect
- F. The decision does not comply with the council's best value duty

The requirement is for a decision to be reconsidered- accordingly disproportionate adverse impact is necessarily qualified in that those decisions in which an adverse impact is identified may still be adopted if the impact is reasonably justified.

Note

Call-in requisitions must be delivered to the Chief Executive no later than 10.00am on the fifth working day following the publication of the draft minutes or decision register.

<i>Time received</i>	<i>Date received</i>	<i>Received by</i>
4:35 pm	12/02/25	

(for completion by Chief Executive's Office)