



31/10/25 at

2pm



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	1/10/25		
Minute Heading	MINUTES OF SP8R COMMITTEE OF 19th & 26th September DRAFT IRISH LANGUAGE POLICY.		
Section under which call-in is being requested (please tick)	Section 41(1)(a) Procedural grounds		Section 41(1)(b) Community impact grounds
			<input checked="" type="checkbox"/>

	Print name	Signature
Councillor	SARAH BUNTING	
Councillor	DEAN MCCULLOUGH	
Councillor	FRANK MCCOUBREY	
Councillor	JAMES LAWLOR	
Councillor	IAN McLAUGHLIN	
Councillor	NICOLA VERNER	
Councillor	RUTH BROOUS	
Councillor	DAVY DOUGLAS	
Councillor	BRADLEY FERGUSON	
Councillor	JORDAN DORAN	
Councillor	RON McDOWELL	
Councillor	JIM RODGERS	

Date _____

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	
2	
3	

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	The Protestant, Unionist, Loyalist; Ulster British community
2	The nature and extent of the disproportionate adverse impact	<p>The imposition of Irish language signage is significant and controversial, generating community division and opposition. On 24 May 2025, polling was published by the Belfast Telegraph, commissioned by establishing polling agency LucidTalk. This was focused on Irish language at Grand Central station; the results demonstrated that 91% of DUP voters, 97% of TUV voters and 71% of UUP voters opposed the imposition of Irish language signage.</p> <p>In LucidTalk polling published on 19 March 2025 showed 88% of people who identify as unionist would feel uncomfortable to have Irish language signage imposed in their street.</p> <p>It is further an objective fact that local Government in Northern Ireland collapsed for three years over the issue of Irish language, with complete unionist opposition. That Irish language is seen as political, controversial and divisive is beyond any objective dispute.</p> <p>The impact on community relations will be significant, with the unionist community- and those members of staff who identify as unionist/British- will under this strategy be forced to display Irish language, despite fundamental disagreement with such displays.</p> <p>ADD IN SOME MORE DETAIL FROM CONSULATIONS ETC- refer in particular to any section 75 points</p> <p>As set out by Humphreys J at paragraph [40] of <i>Re Bryson's Application</i> [2024] NIKB 86 the question as to whether there is significant community detriment is essentially a classically political rather than legal question. Therefore, the statutory scheme envisages that in circumstances whereby 15% of councillors form the view a particular decision will have significant detrimental impact, then that is sufficient. Any challenge to such a position could only be amounted on grounds of Wednesbury unreasonableness. Whether a call-in has merit is not properly a legal question, and is further entirely subjective: put simply, depending on who you ask.</p>

		<p>This call-in is clearly nowhere near the irrationally threshold. It is therefore a valid call-in under section 41 (1) (b) of the 2014 Act, which commences a process that requires (i) a legal opinion to be obtained under section 41 (2); (iii) the matter to be brought back before the council for a vote, in which an 80% majority is required in order to sustain the decision, in so far as the question of 'merit' is not to be determined by a opinion under section 41 (2).</p> <p>It is noted that the call-in form provides that, if a legal opinion obtained under section 41 (2) of the Local Government (NI) Act 2014 deems a call-in without merit, then the call-in shall not be subject to a qualified majority vote.</p> <p>These standing orders are made under powers conferred by section 37 (1) of the 2014 Act, however these powers are subject to section 37 (3) which requires that standing orders are subject to "the other provisions of the Act". They must therefore be consistent with, inter alia, section 41.</p> <p>Section 41 (2) requires the obtaining of a legal <u>opinion</u>; however nothing in this provision permits the legal opinion to be treated as adjudicatory or determinative. Rather, it must merely be put before the council at the next meeting.</p> <p>The elevation of the legal opinion to a binding adjudication is contrary to section 41 (2), and therefore the standing orders purporting to provide for such an adjudication are ultra vires section 37 (3) owing to their inconsistency with section 41 (2).</p> <p>Therefore, this call-in is valid, in order and therefore must be reconsidered by the council, with a qualified majority required.</p>
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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.

Time received	Date received	Received by
2 pm	3/10/25	

(for completion by Chief Executive's Office)