

The Speaker



Northern Ireland
Assembly

Office of the Speaker
Room 39, Parliament Buildings
Ballymiscaw, Stormont
Belfast BT4 3XX

Tel: +44 (0) 28 9052 1130
Fax: +44 (0) 28 9052 1959
email: speaker@niassembly.gov.uk

TO: ALL ASSEMBLY MEMBERS

13 January 2015

Dear Member,

In the Chamber this morning I announced my decision on a petition to refer a decision by the Minister of Education to approve changes to post-primary education in Fermanagh, discontinuing the Collegiate Grammar School and Portora to the Executive Committee, under section 28B of the Northern Ireland Act 1998. I consulted with all the political parties whose members hold seats in the Assembly on whether the Minister's decision fell within the requirements of section 28B (1) of the Act as I was required to do.

To assist all Members I have placed in the Library a copy of the letter which was issued to all Party Leaders and the responses received.

Yours sincerely,

MITCHEL McLAUGHLIN MLA

Office of the Speaker



Northern Ireland
Assembly

Room 39
Parliament Buildings
Belfast, BT4 3XX

Tel: +44 (0)28 9052 1130

Fax: +44 (0)28 9052 1959

email: speaker@niassembly.gov.uk

Mr Peter Robinson MLA
Democratic Unionist Party
Room 210
Parliament Buildings

3 December 2014

Dear Peter,

On Tuesday 2 December 2014 a valid petition was tabled requesting the referral of a decision made by the Minister of Education to the Executive Committee under section 28B of the Northern Ireland Act 1998 (as referred to in Standing Order 29). The petition stated:

"We believe that, pursuant to Section 28B (1) (a) and (b) of the Northern Ireland Act 1998, the decision of the Minister for the Department of Education, announced on 28 November 2014, to approve changes to post-primary education in Fermanagh discontinuing the Collegiate Grammar School and Portora Royal School should be referred to the Executive Committee. The press statement of the Minister clearly demonstrates that both limbs of Section 28B have been met".

The petition, signed by 38 Members, may be viewed in the Business Office.

The Speaker is required under the terms of the Act to consult the political parties whose members hold seats in the Assembly before certifying whether or not the Ministerial decision relates to a matter of public importance. If the Speaker certifies that it does there is then a requirement to refer the decision to the Executive Committee.

Under section 39(4) of the Northern Ireland Act 1998 the functions of the Speaker may be exercised by a deputy during a vacancy in the office of Speaker. In accordance with our notification to Members dated 20 October 2014 in relation to how business would be conducted, following the failure to elect a Speaker, we will be taking this decision by agreement between the three Deputy Speakers.

We are therefore writing to you urgently to ascertain your view on whether the decision of the Minister is a matter of public importance. We would be most grateful for a response by no later than Tuesday 9 December 2014.

Yours sincerely,

Roy Beggs MLA
Deputy Speaker

Leneghan, Frances

From: Morrison, Samuel <samuel.morrison@party.niassembly.gov.uk>
Sent: 04 December 2014 12:13
To: Speaker's Office
Subject: FAO Deputy Speaker Beggs re Collegiate and Portora

Dear Mr Beggs,

Thank you for your letter relating to a valid petition on the future of post-primary education in Fermanagh.

Mr Allister has asked me to advise you that he believes the decision of the Minister is indeed a matter of public importance.

Sincerely,
Samuel Morrison, TUV



NORTHERN IRELAND

Parliament Buildings
BT4 3XX

RECEIVED IN

05 DEC 2014
SP 603.4
SPEAKER'S OFFICE

David McNarry MLA
UK Independence Party
Member for Strangford

Advice Centre

35 Saintfield Mill
Saintfield Parks
Saintfield
County Down
BT24 7FH

4 December 2014

Mr Roy Beggs MLA
Deputy Speaker
NI Assembly

Dear Roy

It is my firm opinion that the petition presented for referral to the Executive merits my support.

Yours sincerely

A handwritten signature in blue ink that reads 'DAVID'.

David McNarry MLA

Contact UKIP Northern Ireland

Phone: 028 90 521 504
Website: ukipni.com
Email: office@ukipni.com

Standing Up For Strangford

Get in touch with David McNarry:

Phone: 028 97 510 705
Email: davidmcnarry@btconnect.com
Website: davidmcnarry.com

09 DEC 2014

SP 608.14

SPEAKER'S OFFICE

**Martin McGuinness MLA**

Constituency Office

26 Burn Road, Cookstown

Co. Tyrone, BT80 8DN

Tel: 028 8676 5850

Fax: 028 8676 6734

9th December 2014Roy Beggs MLA
Deputy Speaker

Dear Roy,

Thank you for your letter of 3 December 2014 regarding the petition tabled in relation to the Minister of Education's decision announced on 28th November 2014 on post-primary provision in Fermanagh.

Clearly this decision is routine and not an issue of public importance. In my opinion an issue of public importance would be one that is important to or affects the public in a more general sense than this local issue. The decision in question reflects - and is in no way different from - decisions made by the Minister of Education on many other school planning issues. If every such routine departmental decision were referred to the Executive in this way the business of government in and outside the Executive would become impossibly cumbersome and slow.

School closures and amalgamations can stir up strong local feeling however they are a necessary part of the restructuring of our Education system to meet the needs of all our young people. These decisions are a necessary and normal aspect of the Minister's responsibilities and notwithstanding local support for or opposition to these decisions; they certainly do not constitute decisions of wider public importance as envisaged under the relevant standing orders.

Martin McGuinness MLA

Brid Curran

Assistant to Martin McGuinness MLA

Sinn Féin Office, Rath Mór Business Park,

Eastway Road, Derry. BT48 0LZ

Telephone: 07711 075593

email: brid_curran@hotmail.com

RECEIVED IN



Office of the

First Minister and
Deputy First Minister

www.ofmdfmi.gov.uk

09 DEC 2014

SP609.14
SPEAKER'S OFFICE

Stormont Castle
BELFAST
BT4 3TT

TEL: 028 9037 8096
FAX: 028 9037 8040
e-mail: judith.wallwin@ofmdfmi.gov.uk

Roy Beggs MLA
Deputy Speaker
Room 39
Parliament Buildings
BELFAST
BT4 3XX

5 December 2014

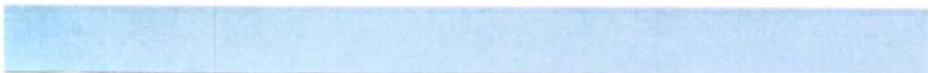
Thank you for your letter of 3 December in relation to the referral of a decision of the Education Minister announced on 28 November.

I believe that the decision in question is clearly and arguably one of public importance under the terms of the Act. This is clearly the view of 38 MLAs as well as being apparent from the Minister's own press release.

In addition it is clear to me that this decision has also been taken in contravention of Section 28A.

I trust that it will be referred to the Executive under this procedure in due course.

RT HON PETER D ROBINSON MLA
First Minister



Leneghan, Frances

From: Agnew, Steven <steven.agnew@mla.niassembly.gov.uk>
Sent: 10 December 2014 10:33
To: Leneghan, Frances
Subject: Re: Petition to refer a Ministerial decision to the Executive

RECEIVED IN
10 DEC 2014
SP64.14
SPEAKER'S OFFICE

Dear Frances,

I do not believe this issue to be of public importance and therefore do not believe it needs to be referred to the Executive Committee.

Best regards,
Steven Agnew

Steven Agnew MLA
Room 258
Parliament Buildings, Stormont BT4 3XX
028 90 521790
0770 678 4436

www.stevenagnew.net

From: Leneghan, Frances <frances.leneghan@niassembly.gov.uk>
Sent: 03 December 2014 17:59
To: Agnew, Steven; Agnew, Steven CO
Subject: Petition to refer a Ministerial decision to the Executive

Dear Steven

Please see attached letter from the Deputy Speakers for your consideration and response by Tuesday 9 December 2014. Hard copy is in the post.

Regards

Frances

FRANCES LENEGHAN

Private Secretary to the Speaker
Office of the Speaker

work: 02890521377
email: frances.leneghan@niassembly.gov.uk

Room 39
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

This email is strictly confidential. It may be privileged. It is intended for use only by the intended addressee.

If you have received it in error, we would be grateful if you would tell the sender, and then permanently delete it. If you are not the intended addressee, then any copying, distributing, disclosing of, or relying on the information in the email is prohibited.

Leneghan, Frances

From: Downey, Dorothy <dorothy.downey@party.niassembly.gov.uk>
Sent: 10 December 2014 17:07
To: Stitt, Paul
Subject: Request for referring Portora/Collegiate to Executive

Hi Paul

Please see request below from Mike Nesbitt MLA regarding the above.

Regards
Dorothy

10th December 2014

Dear Deputy Speaker

I refer to your letter requesting the view of the Ulster Unionist Party on the issue of the petition requesting that the decision of the Education Minister to approve the amalgamation of Collegiate Grammar School and Portora Royal School be referred to the Executive.

I appreciate that this consultation is based on Standing Order 29 (2) (b) and (4). The Collegiate/Portora issue is a significant issue of importance to the people of County Fermanagh. Whether it is a matter of public importance in a wider Northern Ireland context is a more open question.

We suggest that Speakers' office should ask for the Assembly's legal service to give an opinion on what constitutes a 'matter of public importance' in law. We have no objection to the Executive re-examining the decision, subject to legal advice.

Mike Nesbitt MLA
Leader, Ulster Unionist Party
Doing what's right for Northern Ireland

Dorothy



Dorothy Downey : on Behalf of Mike Nesbitt, MLA, Leader, Ulster Unionist Party |
Northern Ireland Assembly
contact: dorothy.downey@party.niassembly.gov.uk | tel: 028 9052 1423 | fax: 028 9052 1814

11 DEC 2014

SP 617.14

SPEAKER'S OFFICE

Leneghan, Frances

From: Matthews, Catherine <catherine.matthews@party.niassembly.gov.uk>
Sent: 11 December 2014 11:52
To: Leneghan, Frances
Subject: Correspondence from Office of the Speaker - Referral of a decision by the Minister of Education

Frances

Many thanks for your letter. The SDLP understand that this is an issue of huge importance to those affected pupils and their parents in Fermanagh. We have heard their views both through correspondence and during the European and local election campaigns when candidates including our European candidate Alex Attwood met with interested parties.

While this an issue of great concern to those affected, it is not the view of the SDLP however that this is a matter of public interest under Section 28b.

Catherine



The SDLP's vision
is a reconciled
people living in a
united, just and
prosperous new
Ireland

Catherine Matthews

Parliamentary Assembly Group Manager

PA to Party Leader

SDLP

Phone (daytime): [02890 521319](tel:02890521319)

Mobile: 07977 567974

Email: catherine.matthews@party.niassembly.gov.uk

Twitter: [@SDLPLive](https://twitter.com/SDLPLive)

Room 219

Parliament Buildings

Ballymiscaw

Stormont

Belfast

BT4 3XX

IMPORTANT NOTICE: This email is for the intended recipient only. It may contain confidential and privileged information. If this email has been received in error, please notify the sender and delete it. Any reliance on, use, distribution or copying of the content is strictly prohibited. Any viewpoints are solely those of the author. No liability is accepted for the content (including attachments) or the recipients response. Every reasonable effort is taken to ensure a virus-free network, hence mail transmission from this address may be subject to interception or monitoring for operational reasons or for lawful business practices under the Regulation of Investigatory Powers Act 2000.

©