

Extract from minutes of -

STRATEGIC POLICY AND RESOURCES COMMITTEE

12th DECEMBER, 2008

“Royal Maternity Hospital Liaison Group

The Committee considered the undernoted report:

‘Purpose of the Report

To provide supplemental advice to the Committee in relation to how the Council might undertake a campaign in support of the provision of a new regional hospital for children and women on the site of the Royal Group of Hospitals.

Relevant Background Information

The Committee, at its meeting of 21 November, considered a report submitted by the Director of Legal Services in relation to the question of support for the proposed new regional hospital for children and women. Following a suggestion by a Member that the Council should incur expenditure of an appropriate amount in relation to mounting its own campaign in support of the proposed hospital, and following the contribution of a number of other Members to the discussion, the Director of Legal Services pointed out that any proposal of such a nature could lawfully be implemented by the Council pursuant to the special expenditure powers set out in Section 115 of the Local Government Act (NI) 1972. However, he also pointed out that this would be in the context of cross party support for the proposal and he noted that the advice from Counsel had referred to the restriction in the 1972 Act which precludes the use of Section 115 for “party political publicity campaigns”.

Key Issues

It would appear from the general thrust of the discussion at the meeting of the Committee on 21 November, and from a number of subsequent discussions with various individual Members, that a certain amount of support exists across the parties for the proposal to mount some form of campaign in support of the proposed hospital. However, that support does appear to be qualified to the extent that any expenditure to be incurred should be of a reasonably modest nature and on the basis that any resolution by the Council in support of the proposal should attract support on a cross party basis.

If Members are minded to support a cross party resolution that the Council should incur expenditure of a reasonably modest nature in pursuance of a campaign to support the provision of a new regional hospital for women and children on the site of the Royal Group of Hospitals, then such a proposal is legally tenable subject to the following

1. the resolution attracts cross party support
2. the Council agrees the level of expenditure to be incurred, which it is suggested might be in the region of £15-20,000
3. the resolution to incur that expenditure be on the basis that, in accordance with the provisions of Section 115 of the Local Government Act (NI) 1972, the Council considers that the expenditure shall be in the interests of, and will bring direct benefit to the Council, its district, and the inhabitants of its district – and that the expenditure to be incurred is considered to be commensurate with the direct benefit to be so achieved.

If the Committee is desirous of proceeding on this basis, and passes a resolution in the appropriate wording, then it is suggested that, for the purpose of taking the matter forward, a Working Group be established comprising of nominated Members from each of the Party Groups for the purpose of agreeing how the approved expenditure should be applied in relation to the proposed campaign of support.

The Committee should also decide if it would be appropriate that the Working Group, if established, should also liaise, for information purposes, with the Royal Maternity Hospital Liaison Group, which the Committee will recall it received a presentation from at its meeting of 22 August 2008.

Recommendations

It is a matter for the Committee, having considered the foregoing advice, to decide whether it wishes the Council to now undertake its own campaign in support of the proposed hospital, subject to the conditions which have been suggested by the Director of Legal Services.'

Following a lengthy discussion, the Committee agreed that:

- (a) expenditure, up to a maximum of £20,000, in respect of the above-mentioned campaign be approved under Section 115 of the Local Government Act (Northern Ireland) 1972, it being the opinion of the Committee that the expenditure would be in the interest of, and would bring direct benefit to, the District and the inhabitants of the District, with the Committee being satisfied that the direct benefit so accruing would be commensurate with the payment to be made;

- (b) a fixed-term Working Group, comprising one Member from each of the Political Parties represented on the Council, be appointed to consider the most appropriate means of taking forward the campaign; and
- (c) a report on the recommendations of the Working Group in this regard be submitted in due course for the consideration of the Committee.”

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