

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Friday 21 May 2010 at 1.00 pm.

Present: Councillors George Black, Jim Brown, Jonathan McColl, Ronnie McColl and James Bollan.

Attending: Nigel Ettles, Principal Solicitor.

Apologies: Apologies for absence were intimated on behalf of Councillors John Millar and Iain Robertson.

Councillor George Black in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

EXCLUSION OF PRESS AND PUBLIC

The Committee approved the following resolution:-

“That under Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act”.

MINUTES OF PREVIOUS MEETINGS

It was noted that the Minutes of Meetings of the Committee held on 25 March 2010 would be submitted to the next meeting of the Committee.

APPEAL AGAINST DISMISSAL (REF: APP/09/011)

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a dismissal. There was also submitted a note of the procedure to be followed at the hearing of the Appeal.

The Appellant was present and was represented by Tom Morrison of Unison. The department in which the Appellant had been employed was represented by Gavin Walsh, Solicitor.

It was noted that this meeting had been arranged for the discussion of procedural issues.

Without considering the merits of the Appeal, Members of the Committee discussed with the parties' representatives the substantial quantity of new material that had been submitted by the Appellant and the way in which Management might wish to respond to that material. There was discussion about the categories of witnesses that would be required for the hearing of the Appeal. There was also discussion about the possibility of cross-referring the papers submitted by the Appellant with those submitted by Management.

It was agreed by the Committee that if the Appellant's representative was seeking to have any witness statements struck out, he would have to raise that matter at the hearing of the Appeal. It was noted that, as Management were to produce a detailed response to the new material submitted by the Appellant, it would not be possible at this stage to identify dates for the hearing of the Appeal.

The meeting closed at 1.55 p.m.