

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Thursday 8 June 2006 at 9.30 a.m.

Present: Councillors George Black, Jim Bollan, Jackie Maceira, James McCallum and Martin Rooney.

Attending: Nigel Ettles, Principal Solicitor.

Apology: An apology for absence was intimated on behalf of Councillor Margaret Bootland.

APPOINTMENT OF CHAIR

9231 There being no Convener, Councillor Bollan, seconded by Councillor Black, moved that the Meeting be chaired by Councillor Black. As an amendment, Councillor Maceira, seconded by Councillor McCallum, moved that the Meeting be chaired by Councillor Rooney. On a vote being taken, 3 Members voted for the amendment and 2 for the motion. The amendment was accordingly declared carried and Councillor Rooney assumed the Chair.

EXCLUSION OF PRESS AND PUBLIC

9232 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 item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act”.

GRIEVANCE APPEALS (REF: APP/06/06 & APP/06/05)

9233 There were submitted background papers relating to Appeals which had been submitted to the Council in relation to grievances. There was also submitted a Note of the procedure to be followed at the Hearing of the Appeals.

9234 The Appellants were present and were represented by Michael Conroy of the GMB. The department in which the Appellants were employed was represented by Raymond Lynch, Solicitor.

- 9235 At the request of all parties, the Committee agreed that the two Appeals be heard together.
- 9236 Mr Conroy called one of the Appellants as a witness. The Appellant was questioned by Mr Conroy, Mr Lynch and members of the Committee.
- 9237 At this point in the proceedings, at the request of the Committee, all parties withdrew from the meeting. Having heard Councillor Bollan and the Principal Solicitor and following discussion, Councillor Rooney, seconded by Councillor Maceira, moved that the proceedings be suspended and the Meeting be reconvened at a later date with a different Chair. As an amendment, Councillor Black, seconded by Councillor Bollan, moved that the Committee accept the Principal Solicitor's advice. On a vote being taken, 2 Members voted for the amendment and 3 for the motion which was accordingly declared carried.
- 9238 The proceedings were accordingly suspended at 10.05 a.m.