

## APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in the Council Offices, Rosebery Place, Clydebank on Monday 8 March 2004 at 9.50 am.

**Present:** Councillors Margaret Bootland and Connie O'Sullivan.

**Attending:** Nigel Ettles, Principal Solicitor.

**Apology:** An apology for absence was intimated on behalf of Councillor Jackie Maceira.

### Councillor Margaret Bootland in the Chair

#### EXCLUSION OF PRESS AND PUBLIC

2078 The Committee approved the following resolution:-

2079 "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".

#### APPEAL AGAINST DISMISSAL (REF: APP/03/04)

2080 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.

2081 The Appellant was present and was represented by Charlie McDonald of the Transport & General Workers' Union. The department in which the Appellant had been employed was represented by Raymond Lynch, Solicitor.

2082 Mr Lynch called as witnesses Angus McArthur, Superintendent; William Doyle, Storeman; Stuart Ormond, Contracts Engineer; Charles Harkin, Productivity Officer; Pat Bradley, Personnel Officer; and Ronald Dinnie, Head of Roads, Transport and Commercial Services. The witnesses were questioned by Mr Lynch, Mr McDonald and Members of the Committee and, in the case of Mr Doyle, Mr Ormond and Mr Bradley, were again questioned by Mr Lynch.

2083 Mr McDonald called as witnesses the Appellant and the Appellant's brother. The Appellant and his brother were questioned by Mr McDonald, Mr Lynch, Members of the Committee and again by Mr McDonald.

2084 Mr Lynch and then Mr McDonald summed up their respective cases and thereafter both parties withdrew from the meeting. After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the grounds of the Appeal had not been substantiated and the Appeal had not been upheld.

The meeting closed at 1.30 pm.