

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held within the Council Suite, Council Offices, Rosebery Place, Clydebank on Thursday 16 March 2000 at 10.00 a.m.

**Present:** Councillors Anthony Devine (LAB), Duncan McDonald (LAB) and Ian McDonald (SNP)

**Attending:** Audrey Ritchie, Principal Solicitor, Legal and Administrative Services

**Apologies:** Apologies for absence were intimated on behalf of Councillor Ronald McColl (SNP) and Councillor John Trainer (LAB)

**Councillor Anthony Devine in the Chair**

### **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 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**

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 Interim Procedures which it was agreed would be adopted at the Appeal Hearing.

The Appellant was present and was represented by Mr Frew of UCATT. The Authority was represented by Owen Mullan, Solicitor. Mr Frew and Mr Mullan lodged a number of Productions. The Committee adjourned for ten minutes to read the Productions.

Mr Mullan called as a witness John McKerracher, Maintenance Manager, Contract Services. After giving evidence Mr McKerracher was questioned by Mr Frew and Members of the Committee.

At 12.05 p.m. the Committee adjourned for a short break. The Hearing resumed at 12.15 p.m., at which time the Chair advised that, due to a prior engagement, Councillor Ian McDonald would have to leave the Meeting at 12.40 p.m. Following discussion, it was agreed by all parties that the Meeting would be further adjourned to 3.00 p.m.

Following the adjournment, the Appellant gave his evidence and was then questioned by Mr Mullan and Members of the Committee.

Mr Mullan and Mr Frew summed up the 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 that the Appeal had not been upheld.

The Meeting closed at 4.30 p.m.