

## **APPEALS COMMITTEE**

At a Meeting of the Appeals Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 24 January 2008 at 9.40 a.m.

**Present:** Councillors James Bollan, Jim Brown, Gail Casey, William Hendrie and Jonathan McColl.

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

**Apologies:** Apologies for absence were intimated on behalf of Councillors George Black, Jim Finn and John Millar.

### **APPOINTMENT OF CHAIR**

In the absence of the Chair, Councillor George Black, it was agreed that the meeting be chaired by Councillor Jonathan McColl. Accordingly, Councillor McColl assumed the Chair for the duration of the meeting.

### **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 (REF: APP/07/20)**

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 not represented. The department in which the Appellant had been employed was represented by Alistair Young, Solicitor.

Mr Young called as witnesses Mrs Margaret Chisholm, Tenant; Eileen Morrison, Assistant Personnel Officer; Anne Marie Cosh, Personnel Officer; and Randolph Sweeney, Contracts Manager. The witnesses were questioned by Mr Young, the Appellant and Members of the Committee. Mr Young then called as

a witness John Drake, Section Head, Repairs and Maintenance (Dumbarton). Mr Drake was questioned by Mr Young and Members of the Committee.

The Appellant presented his case and was then questioned by Mr Young and Members of the Committee.

Mr Young and then the Appellant 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 1.12 p.m.