

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Thursday 22 January 2009 at 9.30 am.

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

Attending: Nigel Ettles, Principal Solicitor.

Apologies: Apologies for absence were intimated on behalf of Councillors David McBride, Jim Finn, Ronnie McColl and Gail Casey.

Councillor George Black 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 (REF: APP/08/06)

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 Charlie McDonald of Unite. The department in which the Appellant had been employed was represented by Raymond Lynch, Solicitor.

Mr Lynch presented the case for the department and Mr McDonald presented the case for the Appellant. The Committee noted that the facts were not in dispute. Both parties then withdrew from the meeting.

After the Committee had deliberated the matter in private, both parties were readmitted to the meeting and advised that the Hearing would be adjourned to a date after 1 April 2009 to be agreed. The Committee found that Management had been constrained by the Local Government Pension Scheme (Scotland) Regulations 1998. The Committee complimented Management and the Trade Union on the way in which the Appeal had been progressed.

The meeting adjourned at 10.25 am.