

EAST AYRSHIRE COUNCIL

APPEALS PANEL

MINUTES OF MEETING HELD ON TUESDAY 22 FEBRUARY 2011 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Maureen McKay, Tom Cook, Robert McDill, Barney Menzies and Kathy Morrice.

ATTENDING: Craig Young, Team Leader, Litigation and Advice/Advisor to the Panel; and Sharon McHarg, Administrative Officer.

CHAIR: Councillor Kathy Morrice, Chair.

APPOINTMENT OF CHAIR

1. It was unanimously agreed to appoint Councillor Kathy Morrice as Chair.

EXCLUSION OF PRESS AND PUBLIC

2. It was agreed that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act.

HEARING PROCEDURE

3. The Panel noted the Appeals Hearing Procedure (circulated) to be followed at the meeting.

PRELIMINARY MATTER

4. The Union Representatives requested clarification on why the Appeals Panel had been called as the Trade Unions had not submitted a grievance form in this respect because they had not yet concluded their consultative ballot with members to finalise their position. The management representative confirmed that a grievance form had not been received however the Hearing had been arranged following discussions with Trade Union representatives. The Panel heard from management representatives and the Trade Unions who spoke to all matters raised.

ADJOURNMENT/RECONVENTION

5. The Panel adjourned at 1017 hours at the request of the Trade Unions and reconvened at 1047 hours with the same Members and Officers present and in attendance.

FURTHER CONSIDERATION OF PRELIMINARY MATTER

6. The Panel heard further from the management representatives and the Trade Union representatives who spoke to all matters raised.

ADJOURNMENT/RECONVENTION

7. The Panel adjourned at 1110 hours to take legal advice and reconvened at 1124 hours with the same Members and Officers present and in attendance.

DECISION OF APPEAL NO G1/11

8. The Committee agreed unanimously that, at this time, having considered the preliminary matter raised by the Trade Unions, it was concluded that there was no collective grievance before the Panel today and advised that they had set a provisional date for an Appeals Panel on 29 March 2011 should it be required depending on the outcome of the Trade Unions consultative ballots and any subsequent discussions with management arising from the outcome of those ballots.

The meeting terminated at 1145 hours.