

EAST AYRSHIRE COUNCIL

APPEALS PANEL

**MINUTES OF MEETING HELD ON THURSDAY 20 MAY 2010 AT 1300 HOURS IN
COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Rose-Ann Cuninghame, Maureen McKay, Kathy Morrice, Drew Filson and Moira Pirie.

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

CHAIR: Councillor Kathy Morrice, Chair.

APPOINTMENT OF CHAIR

1. The Administrative Officer invited nominations for the Chair and Councillor Kathy Morrice was appointed and took the Chair.

EXCLUSION OF PRESS AND PUBLIC

2. The Panel resolved 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.

GRIEVANCE APPEAL REF NOS G16/10

3. There was submitted a copy of the Appeal Hearing Procedure (Grievance and Disputes), together with submissions by the appellant and the Executive Director of Finance and Corporate Support (all circulated).

The Panel heard evidence from the appellants representatives, and witnesses and from the management representative, who spoke to all matters raised, all in accordance with the agreed Hearing Procedure.

ADJOURNMENT/RECONVENTION

4. The Panel adjourned at 1540 hours and reconvened at 1600 hours with the same Members and Officers present and in attendance.

FURTHER CONSIDERATION OF APPEAL

5. Both parties were recalled and the Panel then asked further questions of the Management Representative.

OUTCOME OF APPEAL

6. Having heard both parties, the Panel agreed, by majority, to accept that the grounds of the appeal as submitted to them at the time, were substantiated to the extent that the Panel determined that there should be further consultation and negotiation in respect of the disputed issues and accordingly, the Panel proposed that a further 90 day period be allowed to facilitate such further consultation and negotiation.

Both parties were advised that Cabinet would be asked to consider the Appeal Panel's decision.

The meeting terminated at 1710 hours.