

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 30 OCTOBER 2001 AT 1230 HRS IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Eric Jackson, Daniel Coffey, John Weir, Robert Taylor and Provost Jimmy Boyd.

ATTENDING: David Mitchell, Head of Administrative and Legal Services; and Julie Armstrong, Principal Administrative Officer.

CHAIR: Councillor Eric Jackson, Chair.

EXCLUSION OF PRESS AND PUBLIC

1. The Sub-Committee 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 7A of the Act.

DISMISSAL APPEAL NO D3/2001

2. There was submitted a copy of the Disciplinary Appeals Hearing procedure together with a summary report dated 27 September 2001 by the Depute Chief Executive/Director of Corporate Resources incorporating submission by the Head of Personnel and related appendices and notification of appeal form and supporting documentation from the appellant (all circulated).

There was also submitted further submissions from the appellant in relation to the appeal (circulated).

REQUEST FROM APPELLANT

3. The appellant requested that the Head of Administrative and Legal Services withdraw from his role as Legal Advisor in these proceedings as he was presently involved in the investigation of a complaint which the appellant had submitted to the Council in respect of certain aspects of the appeals process as applied to his case.

ADJOURNMENT/RECONVENTION

4. The Sub-Committee adjourned at 1246 hrs and reconvened at 1255 hrs with the same Members and officials present and in attendance.

RESPONSE TO REQUEST

5. The Sub-Committee noted the request and advised that the Head of Administrative and Legal Services would remain in attendance, having clarified that his role was restricted to giving legal and procedural advice to the Sub-Committee.

ADJOURNMENTS/RECONVENTIONS

6. The Sub-Committee adjourned at 1324 hrs and reconvened at 1330 hrs, at 1346 hrs and reconvened at 1352 hrs, at 1515 hrs and reconvened at 1530 hrs, all with the same Members and officials present and in attendance.

OUTCOME OF APPEAL

7. Having heard both parties the Sub-Committee agreed, by majority, that the grounds of the dismissal appeal had not been substantiated and the appeal was not upheld.

The meeting terminated at 1710 hrs.

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