

APPENDIX I

EAST AYRSHIRE COUNCIL

**APPEALS SUB-COMMITTEE OF THE
POLICY AND RESOURCES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 10 DECEMBER 1997
AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Eric Jackson, Daniel Coffey and Jimmy Boyd.

ATTENDING: Iain McLachlan, Director of Personnel Services; and Julie Armstrong, Senior 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 2/97

2.1 SUBMISSIONS

There was submitted a copy of the appeals procedure together with the appeal submissions by the appellant dated 24 November 1997 and a report by management on the circumstances leading to dismissal, with related appendices (all circulated).

2.2 CONSIDERATION OF APPEAL

The Sub-Committee agreed that as part of the appellant's submission a copy of a letter dated 16 October 1997 from the Director of Commercial Operations to the appellant be circulated.

2.3 ADJOURNMENTS

The Sub-Committee adjourned at 1120 hrs and reconvened at 1125 hrs and adjourned again at 1247 hrs and reconvened at 1615 hrs with the same Members present.

2.4 CONSIDERATION OF APPEAL

After hearing both parties, the Sub-Committee agreed that the grounds of the appeal had been substantiated in part and the appeal upheld to the extent that, whilst acknowledging that the Director of Commercial Operations had justification in taking action, the action of dismissal was too severe and, having regard to all the circumstances, that the action taken be substituted by a period of unpaid suspension for the period 13 November to 14 December inclusive.

Councillor Coffey intimated his dissent to the decision.

The meeting terminated at 1915 hrs.