

**APPENDIX I**

**EAST AYRSHIRE COUNCIL**

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

**MINUTES OF MEETING HELD ON MONDAY 13 SEPTEMBER 1999  
AT 1400 HRS IN MEETING ROOM 1, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Eric Jackson, John Weir, Harry Wilson, John Knapp and Provost Jimmy Boyd.

**ATTENDING:** George Park, Employee Relations Manager; James Lally, Senior Administrative Officer and Peter Hessett, Solicitor.

**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 1/99**

**2.1 SUBMISSIONS**

There was submitted a copy of the disciplinary appeals procedure together with report enclosing notification of appeal form and the Department of Community Services' submission including related appendices in connection with the appeal (all circulated).

**2.2 CONSIDERATION OF APPEAL**

Having heard both parties Councillor Wilson, seconded by Councillor Weir moved that the grounds of the appeal had been substantiated in part and the appeal upheld to the extent that, while acknowledging that management were correct in taking action, it was considered to be too severe and that therefore the dismissal should be replaced with a period of unpaid suspension and a final warning.

Councillor Knapp, seconded by Provost Boyd, moved as an amendment that the grounds of the dismissal appeal had not been substantiated and that the appeal was not upheld.

On a division by a show of hands the amendment was carried by three votes to two.

The meeting terminated at 1530 hrs.