

## APPEALS PANEL

*At a meeting of the Appeals Panel held on 10 June 2011 and reconvened on 27 July 2011 at Stobart Stadium, Lowerhouse Lane, Widnes.*

Present: Councillors Wainwright (Chairman), Osborne and Parker

Apologies for absence: None

Absence declared on Council business: None

Officers present: A Scott, S Bellard, B Dodd

In attendance: Appellant, Trade Union representative, two appellant witnesses and five management witnesses

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE PANEL

*Action*

#### **AP6 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

The Panel considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Panel during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of

the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

**AP7 DISCIPLINARY APPEAL HEARING**

The Panel considered information submitted in respect of the above appeal and heard representations from the appellant, his Trade Union representative and two witnesses, and from the presenting officer and five witnesses.

RESOLVED: That the disciplinary appeal be dismissed.

*Meeting ended at 6.00pm on 27 July 2011.*