

## **Cherwell District Council**

### **Appeals Panel**

Minutes of a meeting of the Appeals Panel held at Bodicote House, Bodicote, Banbury, Oxon, OX15 4AA, on 17 September 2012 at 10.00 am

Present: Councillor Fred Blackwell (Chairman)  
Councillor P A O'Sullivan (Vice-Chairman)

Councillor Colin Clarke  
Councillor Tim Emptage  
Councillor Tony Illott  
Councillor Douglas Webb

Also Present: Kevin Lane, Head of Law and Governance  
Stephanie Rew, HR Manager

Apologies for absence: Councillor Mrs Diana Edwards  
Councillor Timothy Hallchurch MBE  
Councillor Simon Holland  
Councillor Sean Woodcock

Officers: Paula Goodwin, Projects & Policy Manager  
Natasha Clark, Team Leader, Democratic and Elections

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The minutes of the meetings held on 5 December 2011 and 16 May 2012 were agreed as correct records and signed by the Chairman.

### **5 Exclusion of the Press and Public**

#### **Resolved**

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 4 of Schedule 12A of that Act.

6 **Appeal Hearing**

The Panel considered an appeal by post holder ESR232.

The appellant had been notified of the meeting in accordance with the Council's disciplinary policy but was not in attendance at the meeting. The Council's Disciplinary Policy stated that "The failure of a part to attend an appeal shall not prevent the appeal to be considered". Having allowed a period of fifteen minutes to elapse from the published start time to allow for your late arrival and officers attempts to try and contact the appellant, with reluctance the Appeals Panel unanimously determined to continue with the hearing in the absence of the appellant.

The Panel noted that despite having been provided with every opportunity the appellant had decided not to submit any evidence for the appeal or put forward any witnesses.

The Head of Law and Governance, submitted the case on behalf of Cherwell District Council, supported by the HR Manager and questions were invited.

Four witnesses were called by the Head of Law and Governance and questions were asked of each of the witnesses by the Head of Law and Governance and the Panel.

The Head of Law and Governance made his concluding remarks.

The Panel retired to consider the written evidence provided by the management side and the evidence provided at the hearing by the management side and the witnesses they called. The Head of Law and Governance and the HR Manager left the meeting.

**Resolved**

- (1) That the appeals of post holder ESR232 be dismissed, as in the view of the Panel there was insufficient evidence to support the grounds of the appeal.

**(Unanimous decision)**

The meeting ended at 12.10 pm

Chairman:

Date: