

# Pecyn Dogfennau



Mark James LLM, DPA, DCA  
Prif Weithredwr,  
Chief Executive,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

**DYDD MERCHER, 25 MAI 2016**

**AT: HOLL AELODAU'R PWYLLGOR APELAU**

**YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R PWYLLGOR APELAU SYDD I'W GYNNAL YN YSTAFELL PWYLLGOR 1, 3 HEOL SPILMAN, CAERFYRDDIN AM 9.45 AM, DYDD LLUN, 6ED MEHEFIN, 2016 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.**

*Mark James*

**PRIF WEITHREDWR**



**AILGYLCHWCH OS GWELWCH YN DDA**

<b>Swyddog Democrataidd:</b>	<b>Kevin Thomas</b>
<b>Ffôn (Ilinell uniongyrchol):</b>	<b>01267 224027</b>
<b>Ffacs:</b>	<b>(01267) 224911</b>
<b>E-bost:</b>	<b>kjthomas@sirgar.gov.uk</b>
<b>Cyf:</b>	<b>AD016-001</b>

**PWYLLGOR APELAU  
7 AELOD**

**GRŴP PLAID CYMRU (3)**

- |    |            |                      |
|----|------------|----------------------|
| 1. | Cynghorydd | <b>W.G. Hopkins</b>  |
| 2. | Cynghorydd | <b>J.K. Howell )</b> |
| 3. | Cynghorydd | <b>S.E. Thomas</b>   |

**GRŴP LLAFUR (2)**

- |    |                       |                       |
|----|-----------------------|-----------------------|
| 1. | Cynghorydd/Councillor | <b>B.A.L. Roberts</b> |
| 2. | Cynghorydd/Councillor | <b>J. Williams</b>    |

**GRŴP ANNIBYNNOL (1)**

- |    |                       |                   |
|----|-----------------------|-------------------|
| 1. | Cynghorydd/Councillor | <b>S.M. Allen</b> |
|----|-----------------------|-------------------|

**HEB GYSYLLTIAD PLEIDIOL (1)**

- |    |                       |                     |
|----|-----------------------|---------------------|
| 1. | Cynghorydd/Councillor | <b>J.P. Jenkins</b> |
|----|-----------------------|---------------------|

*NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA*

# AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB

2. DATGAN BUDDIANNAU PERSONOL.

3. COFNODION

5 - 6

LLOFNODI COFNODION CYFARFOD Y PWYLLGOR A GYNHALIWDYD AR Y 18FED EBRILL, 2016.

4. UNRHYW FATER ARALL Y GALL Y CADEIRYDD OHERWYDD AMGYLCHIADAU ARBENNIG BENDERFYNU EI YSTYRIED YN FATER BRYD YN UNOL AG ADRAN 100B(4)(B) O DDEDDF LLYWODRAETH LEOL, 1972.

5. DDIM I'W GYHOEDDI

NI DDYLID CYHOEDDI'R ADRODDIADAU SY'N YMWNEUD Â'R MATER CANLYNOL GAN EU BOD YN CYNWYS GWYBODAETH EITHRIEDIG FEL Y'I DIFFINIWDYD YM MHARAGRAFF 13 O RAN 4 O ATODLEN 12A I DDEDDF LLYWODRAETH LEOL 1972 FEL Y'I DIWYGIWDYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007. OS BYDD Y BWRDD, AR ÔL CYNNAL PRAWF LLES Y CYHOEDD YN PENDERFYNU YN UNOL Â'R DDEDDF, I YSTYRIED Y MATERION HYN YN BREIFAT, GORCHMYNNIR I'R CYHOEDD ADAEL Y CYFARFOD YN YSTOD TRAFODAETH O'R FATH.

6. YSTYRIED APEL YN ERBYN DISWYDDO - ADRAN YR AMGYLCHEDD

7 - 268

Mae'r dudalen hon yn wag yn fwriadol

Monday, 18 April 2016

**PRESENT:** Councillor J.K. Howell (Chair)

**Councillors:**

S.M. Allen, W.G. Hopkins and S.E. Thomas

**The following Officers were in attendance:**

S. Murphy, Senior Solicitor

J Stuart, Principal HR Officer

K. Thomas, Democratic Services Officer

**Committee Room 1, 3 Spilman Street - 2.00 - 4.05 pm**

**1. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors B.A.L. Roberts and J. Williams.

**2. DECLARATIONS OF PERSONAL INTEREST.**

No declarations of interest were received.

**3. MINUTES**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Committee held on the 14<sup>th</sup> March, 2016 be signed as a correct record.

**4. NOT FOR PUBLICATION**

**UNANIMOUSLY RESOLVED** that, pursuant to Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item as the report involved the disclosure of exempt information as defined in Paragraph 13 of Part 4 of Schedule 12A to the Act (As amended by the Local Government (Access to Information)(Variation) Order 2007), namely Information which is likely to reveal the identity of an individual.

**5. TO CONSIDER AN APPEAL AGAINST DISMISSAL - ENVIRONMENT DEPARTMENT**

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED** pursuant to the Act referred to in Minute No. 4 above to consider this matter in private, with the public excluded from the meeting, as it would involve the disclosure of exempt information likely to reveal the identity of an individual.

The public interest test in this matter related to the appellant's name and other personal details, being personal data as defined in Section 1 of the

**Data Protection Act 1998. The issue to be considered by the Committee was not a matter of public interest. Disclosure of the information in the report would be unfair and run contrary to the appellant's right to privacy. On balance therefore, the public interest in disclosure was outweighed by the public interest in maintaining confidentiality of the report.**

The Chair welcomed to the meeting the appellant, his trade union representative, together with the Director of Environment, appointed Investigating Officer and HR representative and outlined the protocol which would be followed in hearing the appeal (copies of which were circulated at the meeting).

The Committee thereupon proceeded to receive evidence from the investigating officer, the appellant and his representative.

Both parties were afforded the opportunity of cross-examining the evidence provided and to sum-up, following which they withdrew from the meeting whilst the Committee considered the evidence and representations made.

The Committee, having considered all the evidence presented, together with the representations made by, and on behalf of, the appellant and the investigating officer

## **RESOLVED**

**5.1 that the appeal be dismissed and the decision to dismiss the appellant, confirmed in a letter dated the 16<sup>th</sup> March 2016 following a formal Disciplinary Hearing held on the 7<sup>th</sup> March, 2016, be upheld;**

5.2 that the appellant be advised in writing of the full reasons for the dismissal of the appeal.

Both parties were recalled to the meeting and advised of the Panel's decision.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

Yn rhinwedd paragraff(s) 13 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd  
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

Document is Restricted

Mae'r dudalen hon yn wag yn fwriadol



Yn rhinwedd paragraff(s) 13 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd  
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

Document is Restricted

Mae'r dudalen hon yn wag yn fwriadol

Yn rhinwedd paragraff(s) 13 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd  
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

Document is Restricted

Mae'r dudalen hon yn wag yn fwriadol