

**Minutes of the Employment Appeals and Ethics Sub-Committee  
of the Test Valley Borough Council**  
held in the Council Chamber, Guildhall, High Street, Andover  
on Thursday 15 December 2016 at 9.30 am and  
held in the Mayor's Parlour, Crosfield Hall, Broadwater Road, Romsey  
on Friday 16 December 2016 at 9:30 am

**Attendance:**

Councillor A Dowden	(P)	Councillor M Hatley	(P)
Councillor P Giddings	(A)	Councillor P Hurst	(P)

At 9:30 a.m. it was moved and seconded that the meeting be adjourned for 30 minutes until the appellant arrived.

The meeting reconvened at 10:00 a.m.

1

**Apologies**

Apologies for absence were received from Councillor Giddings.

2

**Appointment of Chairman**

**Resolved:**

That Councillor Hatley be appointed Chairman for the duration of the meeting.

3

**Declarations of Interest**

There were no declarations of interest.

4

**Exclusion of the Public**

**Resolved:**

**That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the consideration of reports on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:**

**Hearing of appeal following the refusal of  
an application for ill health retirement**

**Paragraphs 1 & 2**

**5. Appeal Against the Refusal of an Application for Ill Health Retirement**

Consideration was given to an appeal against a refusal of an application for ill health retirement.

Those present were referred to the hearing procedure, as set out on page 4 of the agenda.

Evidence was heard from the Appellant and their Trade Union representative. During the course of the proceedings additional evidence was produced by the Appellant. This information was considered exempt, in accordance with the decision in item 4 above. Management then presented their case. Reference was made to the documentation under confidential cover.

Both parties were given the opportunity to cross examine and ask questions. Members of the Sub-Committee asked a series of questions of both parties.

During the course of proceedings there were a series of adjournments. All were formally moved and seconded and agreed unanimously. There was an adjournment at 10:25 until 10:30 am, another at 12:15 until 12:30 pm and another at 1:15 pm until 1:20 pm. The first was on a point of clarification for the Sub-Committee and the other two to allow copying of additional evidence produced by the appellant. During the three adjournments, all parties were asked to vacate the room. The appellant's Trade Union representative had to leave shortly after 12 noon. The appellant confirmed to the Sub-Committee their willingness to proceed.

On completion of the receipt of evidence from both parties, at 2:45 pm it was moved, seconded and:

**Resolved:**

- 1. To adjourn the Sub-Committee until Friday 16 December at 9:30 am to enable the Sub-Committee to deliberate in private.**
- 2. That the meeting be adjourned to the Mayor's Parlour, Crosfield Hall, Broadwater Road, Romsey, Hampshire, SO51 8GL.**

At 9:30 am the Sub-Committee reconvened and deliberated the appeal.

**Resolved:**

**That the appeal be upheld.**

(Meeting ended at 1:10 pm)