

SPENNYMOOR TOWN COUNCIL



APPEALS AGAINST DECISIONS OF THE TOWN CLERK

Author of Policy:	Town Clerk
Date Effective From:	24 th May 2022
Policy Review: When & By Whom	12 th May 2022 Constitution Working Group
Next Review:	February 2025
Version Control:	V4

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website www.spennymoor-tc.gov.uk and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the publication scheme.

- 1 If a member of the public or Member wishes to exercise the right of appeal against a decision made by the Town Clerk, s/he must notify the Chair of the Appeals Panel in writing of the grounds of the appeal, within 14 days of the decision being made.
- 2 A pro-forma (see Appendix 1) should be included on which the Appellant can give notice of appeal, including identification of the grounds for the appeal.
- 3 The appeal will be heard by the Council's Appeals Committee. (Elected Members drawn from the Council), within 6 weeks of the completed appeal paperwork being received.
- 5 The Appeals Committee will hear appeals by Appellants arising from decisions taken by management under the normal operation of the Council's policies and procedures.
- 6 Records and notes of any meetings or correspondence will be made available to the Appeals Committee prior to any decision being made or hearing the appeal.
- 7 The Appellant will have the right of appearing before the Appeals Committee and will be able to call witnesses in support of his/her case and produce relevant information. Documentary evidence to be produced by either party will be made available for information as soon as is reasonable and practicable in the circumstances.
- 8 The Appellant will be given notice in writing in advance of the time and place of the hearing.
- 9 The decision of the Appeals Committee will be communicated to the Appellant in writing within 7 days of the hearing.
- 10 The Appeals Committee has delegated powers when dealing with Appeal matters, and the decision of the Member Appeal Panel will be final.
- 11 The procedure, which is followed at the Appeals hearing, is detailed overleaf.
Appeals Notification and Procedure Spennymoor Town Council

Procedure for the Conduct of Appeals

1. The Town Clerk shall put the case in the presence of the Appellant and may call witnesses.
2. The Appellant will have the opportunity to ask questions of the Town Clerk on the evidence given by him/her and any witnesses whom he/she may call.
3. The Appeals Committee may ask questions of the Town Clerk and witnesses.
4. The Appellant to put his/her case in the presence of the Town Clerk and to call any witnesses.
5. The Town Clerk will have the opportunity to ask questions of the Appellant, his/her representative and witness(es).
6. The Appeals Committee may ask questions of the Appellant, and witnesses.
7. The Town Clerk and the Appellant will have an opportunity to sum up their cases if they so wish.
8. The Town Clerk and the Appellant and witnesses to withdraw.
9. The Appeals Committee with any manager appointed as Secretary/Advisor, to deliberate in private, only recalling the Town Clerk and the Appellant to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return notwithstanding only one may be concerned with the point-giving rise to doubt.
10. The Chairman of the Appeals Committee to announce the decision to the parties personally or in writing within 7 working days.
11. The decision of the Appeals Committee will be final.

Appendix 1

PRIVATE & CONFIDENTIAL

SPENNYMOOR TOWN COUNCIL

APPEAL FORM

Chairman of the Appeals Committee
Spennymoor Town Council
Town Hall
Spennymoor
County Durham
DL16 6DG

Appellant's
Name: _____

Job Title: _____

Please give details of situation:

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Date of Notification of Action: _____

Reason for the appeal: _____

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Appellant's Signature: _____

Date: _____