

PRIVATE AND CONFIDENTIAL

Report of an Investigation in Accordance with the Arrangements for Dealing with
Standards Allegations Under the Localism Act 2011

In the case of Councillor Ian Jones

INVESTIGATION REPORT CONTENTS

Report Author: SMBC Legal Services

Report Date: 22 May 2018

ITEM	DESCRIPTION
1	Background
2	Summary of Allegations
3	Investigation Procedure
4	Relevant Legislation and Protocols
5	Official Capacity/Scope of the Code
6	Relevant Case Law
7	Human Rights
8	Arrangements for Dealing with Standards Allegations
9	Investigation Outcome
10	Allegations and Evidence
11	Conclusions

Background

1. The Monitoring Officer had a complaint referred to him from audit committee on 23rd March 2017. The Monitoring Officer considered those matters and referred them for investigation by Legal Services on 31st July 2017. A copy of the Monitoring Officers decision notice can be found at pages 29-31 of the bundle.
2. The complaint arose from a dispute over payment of outstanding debts for the provision of equipment and rides used at a community event held at Hill Top Park and Ratcliffe Park in July 2016.
3. The investigation team consisted of Officers from Legal Services.
4. This report details the results of investigations carried out.

Summary of Allegations

5. Allegation 1-That Councillor Ian Jones may have included the names of council officers on official documents as organisers of an event without their knowledge.

Allegation 2 –That Councillor Ian Jones may have arranged an event at Hill Top Park on the 2nd July 2016 and Ratcliffe Park on 23rd July 2016 without following the appropriate procedures.

6. The investigator was also asked to investigate another councillor in connection with this event. This is the subject of a separate report.

[IL2: PROTECT]

7. The investigation officer did not find this case to be document heavy.

8. The investigator has considered whether witness evidence will be required and provide any assistance in relation to the allegation; the majority of the relevant witnesses in relation to this matter gave evidence by way of written statements/emails in 2016 in relation to a debt enquiry (a copy of which can be found at pages 153-160 of the bundle). The witness evidence provided as part of that investigation was relevant and provided the narrative required for this investigation. Consent was sought for the witnesses to use the evidence they provided as part of this investigation. The documentary evidence was self-explanatory. Additional witness statements were taken from Tom Hogan, Roz Beddows and Carole Griffiths, a copy of which can be found at pages 250-256 of the bundle. Amie Merry the other officer with relevant evidence has since left the Local Authority. Amie had a discussion with the investigation officer on the telephone and said she would provide a written statement but at the date of completing this report one has not been forthcoming and the investigator has sufficient evidence to complete this report without further evidence.

9. Arrangements were sought to interview Councillor Ian Jones. Unfortunately Councillor Ian Jones's wife, Mrs Olwen Jones has had health issues and it was agreed with their Solicitor that because of this Cllr Ian Jones would not attend interview but he would instead provide written comments. Written comments were to be provided by 23 January 2018. A further opportunity was provided for Cllr Jones to provide written responses

[IL2: PROTECT]

to certain question by 4th May 2018, a copy of the questions can be found at pages of the bundle. These have not been answered to date.

10. The investigation brief was agreed with the Monitoring Officer, who with the exception of guidance on procedural matters has remained independent from the investigation.
11. The investigation process involved collating documentary evidence, reviewing files to gather relevant evidence and interviewing relevant witnesses. This included reviews of emails and other key documents.
12. All interviews and requests for documentary evidence have been carried out with the intention of maintaining a high degree of confidentiality.
13. This report will be issued directly to the Monitoring Officer.

Relevant Legislation and Protocols

14. The Members have adopted a Members' Code of Conduct. This has been regularly reviewed. The most recent code was adopted on 17 January 2017.
15. At the date of this incident the relevant code was the 2016 code of conduct which can be found at pages 38-51 of the bundle.
16. I have also considered the Arrangements for dealing with Standards Allegations (page 21-28ab of the bundle).

[IL2: PROTECT]

Official Capacity/ Scope of the Code

17. Section 27(2) of the Localism Act 2011 requires the council to adopt a Code of Conduct "dealing with the conduct that is expected of members ... when they are acting in that capacity." The council's Member Code of Conduct is expressed to set out the standards of conduct that are expected of members when they are acting in that capacity and applies to members in all aspects of their activities as members. It does not seek to regulate what members do in their purely private and personal lives.

Relevant Case Law

18. Whether a member is acting in an official capacity, was one of the central issues in *Livingstone v APE* [2006] EWHC 2533 (page 208 of bundle). Collins J held that the then Mayor of London was not acting in an official capacity when responding to being "door stepped" by a journalist when leaving the offices of the Greater London Authority. The case made clear that a distinction is to be drawn between the individual as a Councillor and the individual as an individual and that a Councillor is not a Councillor twenty four hours a day. The case provided helpful guidance on whether the Code applied when a Member does not appear to act as a Member but does misuse their office. Mr Justice Collins made the following comments:

"If the words 'in performing his functions' are applied literally, it may be said that such misuse, and other misconduct which is closely linked to his position as such may not be covered. It seems to me

[IL2: PROTECT]

that the expression should be construed so as to apply to a member who is using his position in doing or saying whatever is said to amount to misconduct. It is obviously impossible for a member who was acting in his official capacity to argue that by acting improperly he was not performing his functions. Such a construction would emasculate the system set up by Parliament”.

19. The Livingstone judgment was considered in detail in *Bartlett, Milton Keynes Council* [2008] APE 0401 in an appeal from a decision of the local standards committee. In the Case Tribunal's view, Livingstone should be interpreted to mean that for a councillor to be acting in an official capacity:-

- (a) the councillor should be engaged in business directly related to the council or constituents; or
- (b) the link between the councillor's office and the conduct should have a degree of formality.

20. *Heesom v Public Services Ombudsman for Wales* [2014] EWHC 1504 (Admin) confirms that the correct test to be applied in Standards Cases is the civil standard of proof; on the balance of probabilities. He was found to have breached the Code of Conduct as he had referred to the Adult Social Care Directorate as a shambles and shambolic, he had improperly sought to interfere with the housing allocation decision-making process, failed to show respect and consideration to officers and bullied officers. The Court considered the relationship between members and officers and found that there *“is a mutual bond of trust and confidence*

between elected members and their officers...local government in this country could not sensibly function without it."

Human Rights

21. Throughout the investigation I have remained mindful of the articles contained within the European Convention on Human Rights, in particular, the articles set out below.

22. Article 6 of the European Convention on Human Rights provides:-

(1) *In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.*

23. Article 8 of the European Convention on Human Rights provides:-

(1) *Everyone has the right to respect for his private and family life, his home and his correspondence;*

[IL2: PROTECT]

(2) *There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

24. Article 10 of the European Convention on Human Rights provides:-

(1) *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.*

(2) *The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of the protection of the reputation or rights of others.*

Arrangements for dealing with Standards Allegations

25. Pursuant to the provisions of the Localism Act 2011, the council has put in place “arrangements” under which allegations that a member or co-opted member of the authority has failed to comply with the authority’s Code of

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Conduct are dealt with. The council's "arrangements" are set out in the bundle of documents at page 21-28ab of the bundle.

26. The Monitoring Officer will decide whether a complaint merits formal investigation. In consultation with the Independent Persons it was determined in this case that the complaint did merit investigation, and as such, the Monitoring Officer appointed an Investigating Officer from Legal Services.

Member training and Positions Held

27. On 2nd May 2008 and 3rd May 2012 Councillor Ian Jones signed a declaration and acceptance of the member code of conduct (please see pages 163-164 of the bundle).

28. Councillor Ian Jones also received training on the Member code of conduct on 4 March 2015 and 22 September 2015 (please see page 162 of the bundle).

29. Chronology of relevant events

15/6/16 Cllr Olwen Jones requests an event be put in Radcliffe Park 1-5 and 23 July 2016.

15/6/16 Amie Merry (officer) informs Cllr O Jones that the council cannot apply for the money but Hill Top can so she asks Cllr O Jones whether she would like her to fill in a form and take it to Hill Top to agree.

[IL2: PROTECT]

21/6/16 Cllr Olwen Jones visited the local office regarding organizing the event. Cllr Jones asked Amie to contact the supplier Jolly jester for quotes for the equipment.

21/6/16 Amie Merry typed the LAB application form on Cllr O Jones behalf to take to Hill Top.

22/6/16 Jolly jesters provides quotes to council officer (Amie Merry) for event in the park.

29/6/16 Amie Merry questions the quote figures and corresponds with Jolly Jesters, resulting in Amie Merry amending the funding application.

29/6/16 Cllrs O Jones and I Jones take a copy of the Local Area Budget application form to Hill Top and the form is signed by Carole Griffiths and Roz Beddows.

1/7/16 first event takes place.

5/7/16 Cllr O Jones e mails Sunish Patel to book Radcliffe Park for the event on 23/6/16.

7/6/16 Sunish Patel provides Cllr O Jones with a copy of the parks booking form. This form does not relate to the funding of the event.

21/6/16 The parks booking form is not completed and submitted 6 weeks before the event in line with the event booking guidelines. Sunish Patel asks his manager if the event can be booked as a last minute booking and it is confirmed that the event can be booked but will not be supported by council officers.

21/6/16 Cllr I jones informed that the event can go ahead with Council public liability insurance but that he will need to complete and submit the booking forms.

22/7/16 a parks county side and event planning application form (the park booking form) is completed with the organizers listed as Tom Hogan and Amie Merry and submitted to Sunish Patel by Cllr I Jones. It is unclear who filled in the form.

23/7/16 second event takes place.

[IL2: PROTECT]

25/7/16 Jolly jesters sent a copy of the invoice to the council for payment.

27/7/16 Amie Merry provides Hill Top and Cllr O Jones with a copy of the youth funding application and states that the funding can be linked to the Local Area Budget given the amount. Amie asks that Jolly jesters are paid through Hill Top.

23-27/7/16 Around this time Hill Top withdraws the funding application by telephone call to the Neighborhood Office.

27/7/16 onwards Jolly jesters request payment for the event from the council.

Investigation Outcome

29 On balance a breach of the Member's Code of Conduct in respect of allegations one and two is not substantiated. The following paragraphs of the code were considered in detail (please see pages 36-46 of the bundle);

1.5 You must not bring your office or your authority into disrepute (page 39 of the bundle)

1.9 You must respect the impartiality and integrity of the authority's statutory officers and its other employees (please see page 39 of the bundle).

Allegation 1

[IL2: PROTECT]

31. That Councillor Ian Jones may have included the names of council officers on official documents as organisers of an event at Ratcliffe Park without their knowledge.

32. E-mails in the bundle of documents indicate that the other Councillor under investigation in relation to this matter requested that various activities including trampolines be ordered by officers for an event at Hill Top (please see pages 87-95 of the bundle). The event is first discussed around 15 June 2016 (Please see page 87 of the bundle). On this date an event is requested and officers clearly say that the council cannot apply for money for this event so an application will need to be made by Hill Top. However, witness evidence supports that council officers were directed to assist Cllrs wherever possible. The documentary and witness evidence supports that officers did the majority of the organising of the event and corresponded with the providers of equipment and completed the relevant grant application forms. This provided a substantial lack of clarity on the roles and responsibilities of those involved.

33. The evidence then supports that the other Councillor involved in this matter, Cllr O Jones had discussions with the equipment provider Malcolm Gwinnett of Jolly jesters to provide a bouncy castle and various equipment for the event between 22 June and 21 July (please see pages 108-112 of the bundle).

[IL2: PROTECT]

Councillor Ian Jones then assists in the preparation of the event from at least 21 July when he contacts officers at the council house by telephone to put in place liability insurance and book the park (please see page 112 of the bundle and witness accounts at pages 155-160 of the bundle). Councillor I Jones then submits a risk assessment form for the event on 22 July 2016 by e-mail (please see pages 122-124) and a hand delivered, though unsigned Park booking application form (please see pages 96-107 of the bundle). A text message on 22 July 2016 confirms that Cllr I Jones has hand delivered the form to the council house (please see page 124a of the bundle). The text message exchange states, "Thanks Ian, if possible can you send me the booking form please. Hope it all goes well tomorrow" .Councillor Ian Jones replies "Hi booking form was delivered by hand to Council House Oldbury in two envelopes addressed for your attention. I gave them to John Ralph the curator who said he would place them on reception to be passed to you this morning"

34. The application form names the event organizers as Amie Merry and Tom Hogan, the two officers who had assisted in the organising of the event. It names the person responsible for the events equipment as Malcolm Gwinnett. There is no accompanying document indicating the source of the application (please see pages 96-107 of the bundle). These are the officers that both

[IL2: PROTECT]

Councillors were discussing the event with and whom assisted the Cllrs with booking the event.

35. Norman Fletcher states that the event application form was submitted by Councillor Ian Jones in a briefing note dated 17th November 2016 to the Chief Executive regarding a debt payment for the event (please see pages 153-154 of the bundle). Both officers, Tom Hogan and Amy Merry are clear in the evidence they provide as part of the debt investigation and the additional evidence gathered as part of this investigation that they did not sign the form or have any knowledge that they were named on the booking form (please see pages 156-160 of the bundle). For clarity the booking form is not linked to the funding of the event.

Agreed Facts

36. There are none to date as no comments have been provided on the Allegations.

Disputed Facts

[IL2: PROTECT]

37. There are none to date as no comments have been provided on the allegations.

Findings of Fact

38. It is found that an application form was submitted to the Council for an event to take place at Ratcliffe Park, West Bromwich on the 23rd July 2016. It was submitted on the 22nd July 2016 the day before the event by Councillor Ian Jones.

39. The form named Amie Merry and Tom Hogan as the organisers of the event. On the balance of probabilities given Councillor Ian Jones involvement with the event and his discussions with officers it is found that Councillor Ian Jones more likely than not entered the officers names on the forms without their knowledge or consent. Whilst the officer's names should not have been added to the form there was a lack of clarity around roles and responsibilities and the officers remit at the time.

Acting in an Official Capacity

[IL2: PROTECT]

40. This was clearly an event that was for the benefit of the community and all officers and third parties concerns were dealing with Councillor Ian Jones as a councillor. At no point is there any evidence that this was a private or personal event and Councillor Jones could only have involvement with this event given his position as a councillor. All parties and correspondence refer to Ian Jones as Councillor throughout the evidence. As such I conclude that Councillor Ian Jones was acting in his official capacity as a councillor.

Allegation 2

41. That Councillor Ian Jones may have arranged an event at Hill Top Park on the 2nd July 2016 and Ratcliffe Park on 23rd July 2016 without following the appropriate procedures.

42. Documentary evidence from an e-mail dated 15 June 2016 supports that the other councillor involved in this matter was informed on 15 June 2016 that the council would not support the events and Hill Top would have to apply for funding to put on the event if they wished (please see page 87 of the bundle).

43. Witness evidence from Carole Griffiths and Roz Beddows from Hill Top Community Center dated 15th December 2016 in relation to the debt for the
[IL2: PROTECT]

equipment and further evidence gathered as part of this investigation suggest that Carol Griffiths and Roz Beddows from Hill Top were presented with a pre filled in Local Area Budget form to sign to fund the events (please see pages 159-160 in the bundle). The Local Area Budget Form was taken to them by Councillors Olwen and Ian Jones on or around 29 June 2016. This form was filled in by council officers. The Councillors told them that that they wished to put on an event at Hill Top Park and that the Local Area Budget Form assisted with funding. The Community Center told them that they were not in a position to assist with the event as they did not have the staff. The Councillors said to Hill Top that they would be organizing and hosting the events. The Officers say they signed the form but did not complete other parts of the application form. The form was taken away by the Councillors. The witness evidence from Hill Top suggests that they were not confident and felt uneasy signing the form.

44. No application form can be produced from Council records applying to hold an event at Hill Top Park on the 2nd July 2016. There is no evidence of any council involvement in this event at all. The only evidence that can be found of this event is when the council are billed for the equipment provided for the event by Mr Gwinnett of Jolly Jesters.

[IL2: PROTECT]

45. The Officers knew nothing of the event when it occurred. Malcolm Gwinnett, a supplier of accessories for the event states the event did go ahead and invoiced Councillor Olwen Jones.

46. No council officers were not asked to display any promotional leaflets or posters. The invoice was for £900 (see pages 93 and 94 in the bundle).

47. The evidence supports that the event on 2 July went ahead without following any council process or procedure.

38. Carol Griffiths and Roz Beddows (from Hill Top) dispute that they had anything to do with organizing the event. They signed the Local Area Application Form as it was presented to them by the Councillors they say and that the form was for funding. Carole Griffiths evidence is that she cancelled the LAB form on or around the 23rd July 2016. (the LAB form is at pages 88-92 in the bundle). This was done by telephone call to the council. The documentary evidence suggests that the application could have been cancelled as late as 27 July 2016 after the event had taken place. This is supported by Officers discussing another funding stream through the Youth Budget after the event with the Cllrs.

[IL2: PROTECT]

39. As regards the event at Radcliffe Park, Dial Lane West Bromwich a park booking application form was submitted the day before the event was held on 23rd July 2016. This form named Amie Merry and Tom Hogan as the organizers. This document is at pages 96-107 in the bundle. This form was not related to funding for the event.

40. Also enclosed in the bundle is a record from Amie Merry with appendices at pages 135-152 in the bundle, provided as part of the debt investigation. She summarises her involvement stating that she "never agreed or approved any invoice or notice or booking form from Jolly Jesters. I have made it clear to all parties involved that I am mainly a middle man". She also says that despite dealing with Councillor Mrs Olwen Jones about holding the event "she did not confirm, organize or attend this event". Relevant emails are exhibited to her statement in the appendices as are Jolly Jester Invoices. They are presented in varying forms but essentially there are 2 invoices – one made out to Councillor Olwen Jones for the Hilltop Community Centre event dated 2nd July 2016 and one made out to Councillor Mrs Olwen Jones and Amie Merry for the Radcliffe Park event dated 23rd July 2016. This is an indication as to whom Malcolm Gwinnett the proprietor of Jolly jesters and provide of the equipment thought he was dealing with.

[IL2: PROTECT]

41. Contained in the bundle is a risk assessment document Emailed by Councillor Ian Jones to Sunish Patel on the 22nd July 2016, the day before the event in response to his request for one on the same date. This document and other relevant documents surrounding the risk assessment are at pages 122-124 in the bundle. Sunish Patel`s Email requesting this is was sent to Councillor Mrs Olwen Jones and Councillor Ian Jones. In addition to this there are other preparatory documents submitted by Jolly Jesters, the equipment suppliers that relate to insurance at pages 113-118 in the bundle.

42. The application form for this event (pages 96-107 in the bundle) was submitted the day before the event by Councillor Ian Jones. Whilst this was clearly out of process it was confirmed as a late booking by the council. Processes were not followed in booking this event.

44. The Councils Regulations and Conditions of Letting in Respect of Parks, Open Spaces and Playing Fields with accompanying guidance notes. (pages 59-71 in the bundle.) state that the Council and other parties are notified of the event. It anticipates a site plan being provided by the Council 14 days prior to the event occurring. It anticipates the hirer giving notice of 14 days to the Police and Fire Service. It draws attention to Health and Safety issues the hirer needs to be aware of. There is no evidence that any of this took place.

[IL2: PROTECT]

a. Agreed Facts

There are none to date as no comments have been provided on the allegations.

b. Disputed Facts

There are none to date as no comments have been provided on the allegations

c. Findings of Fact

i). It is found that 2 events took place at Council Parks. One was held at Hill Top Park on the 2nd July 2016. Another was held at Radcliffe Park on the 23rd July 2016.

ii). No application form was submitted to the Council for the event on 2nd July 2016. A park booking application form, risk assessment and insurance forms were submitted on the 22nd July 2016 for the event on the 23 July but there is no evidence that the council's events policy was followed. The insurance forms were submitted by Jolly Jesters proprietor Malcolm Gwinett. The risk assessment form and Application Form was submitted by Councillor Ian Jones.

iii). Councillors Olwen Jones and Councillor Ian Jones met with staff prior to the first event on the 2nd July 2016 and said they wished to put on an event at Hill Top Park. They were told no assistance could be provided with the event as staffs were not available. They were involved in arranging the first event.

iv). Councillor Ian Jones was involved in arranging the second event and supplied the application form the day before the event took place.

v). I find that council staff were not the organisers of the event and that Councillor Ian Jones involved himself in organising the events without following proper procedures. In particular the Councils terms and conditions of hiring parks were not followed.

vi) I find that funding application for the events was likely pulled after the event had taken place. Had the application not been withdrawn this complaint would likely not have arisen.

Whilst I do not find any breaches of the member code of conduct on balance I do find a complete failure to follow the procedures for booking and running an event.

d. Acting in Official Capacity?

[IL2: PROTECT]

From the evidence I have considered, Councillor Ian Jones was acting in the capacity as a member during the course of his duties as a member.

Conclusion

Whilst I conclude that Councillor Ian Jones actions did not on balance breach the Member Code of Conduct in respect of both allegations 1 and 2 I do find that they were unhelpful and put officers and third party organisations in a difficult position. This whole issue could have been avoided had the proper process been followed.

The lack of clarity of role and responsibilities compounded this issue. I am assured that there is now firm processes in place and events will not be booked and funded unless the required processes are followed ahead of the proposed event.

Refresher training for all members is recommended and a further review of grant funding applications and administration.

Related Documents

Evidence bundle

[IL2: PROTECT]



Sandwell MBC
Sandwell Council House
PO BOX 2374
Oldbury
B69 3DE

FAO: Surjit Tour
Director – Monitoring Officer



Your Ref IL2
Our Ref BH/15.6027/23
Date 30 July 2018

Dear Sirs,

Cllrs Olwen and Ian Jones

Thank you for your opportunity to comment on the draft investigation report.

We make the following comments on behalf of both councillors at this stage, limiting our comments to the findings and evidence rather than to what might happen next:

Missing Evidence

1. The investigation appears not have spoken to those we would expect to be material witnesses:
 - a. Jan Britton
 - b. Darren Carter
 - c. Cllr Elaine Costigan
 - d. Cllr Eling
 - e. Cllr Pam Hughes
 - f. Cllr Bob Lloyd
 - g. Malcolm Gwinnett (supplier of trampolines and rides)
 - h. Julian Saunders
 - i. Richard Marshall

Mr Gwinnett in particular can comment on the council's processes and procedures and his interactions with those involved, and yet has not been spoken to.

Failure to Consider Context of the Allegations

2. The council has commissioned an independent legal investigation into the "Eling/Marshall Messages" with Julian Saunders. We understand that the standards hearing into these matters has been delayed. However, the evidence and findings in relation to this investigation and pending hearing reveal a vendetta being pursued against our clients, and a determination to "get" them by whatever means possible. The current investigation would appear to be the fruit of that poisoned tree.

3. By way of example, the following messages have been published from Mr Marshall, which evidence the witch-hunt that was seeking out allegations against our clients (emphasis added):

We made a conscious decision to hit them with something new each week which we've achieved, some of that has been with your help so I thank you good sir.

No but I can get it checked out. We are wearing auditors out daily

I've just told our Audit Team I want it looking into

We have picked up more dodgy house deals for Roufs family today

Trawling over Jones and Bawa and Rouf what said what and when

The Joneses have now been kicked out of Town Hall and out of Wednesbury Celebrates and have moved onto Hill Top Community Centre.... Looks like they are starting another 'community organisation' there to [sic]".

I'm being touted by officers in Neighbourhoods as "the hatchet man" so my cover is blown and that I've "been tasked with burying the Joneses" bless them".

General Observations

4. Bearing in mind the background to the allegations, the following observations are made in relation to the substance of the alleged wrongdoing:
- a. It would appear that the processes which are in place for the provision of activities through the Town team structures (including the engagement of councillors and decision-making) changed without those changes being notified to councillors, and now being used retrospectively to support allegations of wrongdoing.
 - b. The evidence reveals ambiguity surrounding the processes and the function of officers. Moreover, redundancies in the Communities Team resulted in the reallocation of functions to other officers with predictable consequences. The officers were aware of the events taking place and the scheduled timeframe for them.
 - c. The original Local Area Budget application form (completed by the Town Lead Councillor Elaine Costigan) has not been reviewed as part of the evidence, but would clearly demonstrate that the events had clearly been accepted as happening. It was, our clients believe, only after the council's leadership election that the political allegiances changed, resulting in at best selected memory from those concerned.

We trust that these comments will be taken into account. Please contact us in the event of any query.

Yours faithfully,



JONAS ROY BLOOM

Ben Henry
Jonas Ray Bloom Solicitors
King Edward Building
205-213 Corporation Street
Birmingham
B4 6SE

My Ref: MP/AHR
Your Ref:
Please ask for: Maria Price
Telephone No: 0121 569 3175
Fax No:
Email: Maria_price@sandwell.gov.uk

Date: 4 September 2018
*Please assist us by quoting our
reference on all correspondence*

Dear Mr Henry

Re: Councillors Olwen and Ian Jones

The Monitoring Officer has passed me your comments on your clients' reports, received by letter dated 30 July 2018. Given that you have dealt with both Councillors in one letter I propose to do the same.

I have noted your comments and added your letter to the investigation reports at p210 of Olwen Jones' report and p257 of Ian Jones' report.

I am not of the view that your comments add anything further to the investigation reports, given that I have found insufficient evidence to substantiate the allegations save for Councillor Olwen Jones' failure to declare her interests. I cannot see that interviewing further witnesses would have progressed this matter further.

As such I have now finalised my investigation reports, without any amendment save adding your comments to the evidence as stated above and submitted them to the Monitoring Officer for consideration under section 6 of the arrangements for dealing with standards allegations under the Localism Act 2011 which states as follows:-

Continued...

- 2 -

“Having received and taken account of any comments made on the draft report and undertaken any further investigation he/she considers relevant and appropriate, the investigating officer will send his/her final report to the Monitoring Officer.”

The Monitoring Officer will now contact you in due course.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'M. Price', with a stylized flourish at the end.

Maria Price
Service Manager - Legal

Ben Henry
Jonas Ray Bloom Solicitors
King Edward Building
205-213 Corporation Street
Birmingham
B4 6SE

My Ref: ST/AHR
Your Ref:
Please ask for: Surjit Tour
Telephone No: 0121 569 3172
Fax No:
Email: Surjit_tour@sandwell.gov.uk

Date: 13 September 2018
*Please assist us by quoting our
reference on all correspondence*

Dear Mr Henry

Re: Councillor Ian Jones - Standards Complaint

I have now received the final report from the Investigating Officer in relation to this matter under Section 6 of the Arrangements for dealing with standards allegations under the Localism Act 2011.

Having reviewed the Investigating Officer's report I am satisfied that it is sufficient and I concur with its findings. As such I make the following findings:

Allegation 1-That Councillor Ian Jones may have included the names of council officers on official documents as organisers of an event without their knowledge.

FINDING: On balance, I do not find this allegation proven. As such I am satisfied that no further action is required under section 7 of the arrangements.

Continued...

- 2 -

Allegation 2 –That Councillor Ian Jones may have arranged an event at Hill Top Park on the 2nd July 2016 and Ratcliffe Park on 23rd July 2016 without following the appropriate procedures.

FINDING: On balance, I do not find this allegation proven. As such I am satisfied that no further action is required under section 7 of the arrangements.

No further action will be taken in respect of this complaint and I will now proceed to closing my file.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Surjit Tour', written in a cursive style.

Surjit Tour
Director – Monitoring Officer