

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 Olwen Jones

INVESTIGATION REPORT CONTENTS

Report Author: SMBC Legal Services

Report Date: 23 May 2018

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[IL2: PROTECT]

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 32-34 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 Olwen Jones failed to register her interest as Vice Chair of the Hill Top Community Development Association (until 2015)

Allegation 2 –That Councillor Olwen 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.

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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 /e-mails in 2016 during an investigation in relation to unpaid invoices for Jolly jesters which can be found at pages 199-208 of the bundle. Consent was sought from the witnesses to use the evidence they provided as part of this investigation. Additional witness evidence was gathered from Hill Top and council officers which can be found at pages 280-286 of the bundle.
9. Arrangements were sought to interview Councillor Olwen Jones. Unfortunately Councillor Olwen Jones has had health issues and it was agreed with her Solicitor that she would not attend interview but she would instead provide written comments, these were not provided within the agreed time scales. The final timescale for providing responses was 4 May 2018. At the date of writing this report no written account has been received. A further opportunity will be provided to make comments on this draft report before finalisation.
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.

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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 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, together with the registration of interests and conflicts of interests which can be found at pages 38-51 of the bundle.
16. I have also considered the Arrangements for dealing with Standards Allegations (page 21-31y of the bundle of document).

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
[IL2: PROTECT]

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 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”.

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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

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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;*

(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*

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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 Conduct are dealt with. The council’s “arrangements” are set out in the bundle of documents at page 21.

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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.

Member training and Positions

27. Councillor Mrs Olwen Jones was the vice chair of Hill Top Community Development Association from 9 October 2012 when she was first elected as chair (please see page 118 of the bundle). Documentary evidence supports that Cllr Olwen Jones was re-elected as vice chair for a further year on 9 October 2015 and was vice chair at the date of the alleged incidents (please see pages 124-125 of the bundle). In addition to this Councillor Mrs Olwen Jones held the post of Wednesbury Deputy Town lead from 2014-2016

28. On 9th May 2011 Councillor Mrs Olwen Jones signed a declaration of acceptance of the member code of conduct (please see pages 211-212 of the bundle). Cllr Olwen Jones was trained on the members code of conduct on 4th March 2015 and 22 September 2015 (please see page 210 of the bundle).

29. Chronology of relevant events

9/10/12 Cllr Olwen Jones elected as Vice Chair of Hill Top Development Association

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.

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 is not linked to the grant funding applications.

21/6/16 The parks booking form is not completed and submitted 6 weeks

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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

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 ask that Jolly jesters are paid through Hill Top

23-27/7/16 Around this time Hill Top withdraw the funding application by telephone call. There is no documentary evidence to support this it is however confirmed in the witness evidence of Carol Griffiths and Tom Hogan.

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

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Investigation Outcome

30. There has been a potential breach of the Member's Code of Conduct in respect of allegations one. In particular the following paragraphs of the members code of conduct have been breached (please see pages 38-51 of the bundle);

31. Members are required within 28 days of taking office register disclosable pecuniary interests and other registerable interests with the Monitoring Officer (please see page 44 of the bundle). Members are also required to register with the Monitoring Officer any change to the interests or new interests. Interest are defined in Appendices A (disclosable pecuniary interests) and B (other registerable interests), please see pages 47-50 of the bundle. A copy of Cllr Olwen Jones declarations of interests can be found at pages 52-104 of the bundle.

32. Further information is included below.

Allegation 1

33. That Councillor Mrs Olwen Jones failed to register her interest as Vice Chair of Hill Top Community Development Association (until October 2016, been the last date there is evidence of her been the vice chair of Hill Top Community Development Association).

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34. The documentary evidence supports that Councillor Mrs Olwen Jones was Vice Chair of Hill Top Community Development Association from 9 October 2012 when she was first elected to the position (please see pages 118-125 of the bundle for minutes of the meetings indicating Councillor Mrs Olwen Jones position).

35. Documentary evidence is also provided of a grant application made by Councillor Mrs Olwen Jones in connection with the Wednesbury Celebrates Project in her capacity as Vice Chairperson (please see pages 126-132 of the bundle). The document is undated but relates to a proposed project start date of 5th September 2016 and an end date of 25th August 2017.

36. At no point from 2012 to date has Councillor Mrs Olwen Jones declared her interest as Vice chair of Hill Top Community Association on her register of interests register of interests (please see pages 52-104 of the bundle).

37. Hill Top Community Center is a registered charity. It is unclear if Councillor Olwen Jones receives any funding for her position but her position is one which could fall into a disclosable pecuniary interest.

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38. The position would be registerable interests. The relevant Part of the Code(s) of Conduct can be found at pages 38-51 of the bundle.

39. The issue of declaration of interests relates to the Codes of Conduct in force in June 2016 which contains the following provisions-

Part 2 Registration of interests

2.2. You must, within 28 days of becoming aware of it, register with the Monitoring Officer any change to the interests or new interests which fall within the categories set out in Appendix A and B. (please see page 44 of the bundle).

a. Agreed Facts

None to date as Councillor Olwen Jones has not commented on the allegations.

b. Disputed Facts

None to date as Councillor Olwen Jones has not commented on the allegations.

c. Findings of Fact

i).Counsellor Mrs Olwen Jones was Vice Chairperson of the Hill Top Community Development Association from at least 9th October 2012 to 9th October 2016

[IL2: PROTECT]

ii). This was not declared on her Register of Members Interests Forms dated 30th April 2013,(x2) ,27th November 2014,28th April 2015 and 11th July 2016 (please see pages 52-104 of the bundle).

iii). A number of other interests were declared on the forms. There was no apparent reason why the membership and Vice-Chair of the Hill Top Community Development Association was not declared.

Cllr Olwen Jones has failed to keep her register of interests up to date and declare her interests in Hill Top Community Association.

d. Acting in Official Capacity?

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

Allegation 2

40. That Councillor Olwen Jones may have arranged an event at Hill Top Park on the 2nd July 2016 and Ratcliffe Park on the 23rd July 2016 without following the usual event arrangement procedures.

41. Documentary evidence from an e-mail dated 15 June 2016 supports that Councillor Olwen Jones did request events to be run on 2 and 24 July 2016

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but that she 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 133 of the bundle).

42. Witness evidence from Carole Griffiths and Roz Beddows from Hill Top Community Center dated 15th December 2016 in relation to the debt for the equipment and further evidence gathered as part of this investigation suggest that Hill Top were presented with a pre filled in form to sign to fund the events (please see pages 159-160 in the bundle and the witness statements of Carol Griffiths and Roz Beddows at pages 283-286). 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 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 (Carol Griffiths and Roz Beddows) suggests that they were not confident and felt uneasy signing the form.

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43. 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.

44. 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.

45. No council officers were asked to display any promotional leaflets or posters. The invoice was for £900 (see pages 93 and 94 in the bundle).

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

47. 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 a telephone call to the

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council's Neighbourhood team. The documentary evidence suggests that the application could have been cancelled as late as 27 July 2016 after the event had taken place given the funding options that are then discussed with Cllr O Jones after the event and consideration of the Youth funding Grant.

48. 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 did not relate to funding for the event.
49. 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

[IL2: PROTECT]

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.

50. 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.

51. 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.

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52. 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.

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

[IL2: PROTECT]

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. An 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 park booking 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 Olwen Jones involved herself in organising the events without following proper procedures. In particular the Council's terms and conditions of hiring parks were not followed.

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She clearly told both officers and Hill Top that this was her event yet she did not secure the funding for the events in advance.

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

Whilst I do not find that the correct procedures were followed for booking this event and securing the funding I do find that the process was confused and officers roles were blurred. It is due to these reasons that I cannot on balance find a breach of the members code of conduct.

d. Acting in Official Capacity?

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

Conclusion

[IL2: PROTECT]

I find a breach of allegation 1 and that Cllr O Jones has failed to declare her interests as vice chair of Hill Top Community Association.

Whilst I conclude that Councillor Olwen Jones's actions did not on balance breach the Member Code of Conduct in respect of allegation 2 I do find that they were unhelpful and put officers and third party organisations in a difficult position whilst she pushed her event forward despite the set procedures which she chose not to follow. This whole issue could have been avoided had the proper process been followed and funding secured before the events.

The lack of clarity of roles and responsibilities compounded this issue. I am assured that there are 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 grants funding 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 Olwen Jones - Standards Complaint

I have now received a 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:

1. **Allegation 1** - That Councillor Olwen Jones failed to register her interest as Vice Chair of the Hill Top Community Development Association (until 2015)

FINDING: In respect of allegation 1, I find this allegation to be made out. Given the passage of time and the fact that Councillor Olwen Jones is no longer involved with ~~Tipton Community Association~~ ~~Association~~ I am minded to seek a local resolution to deal with this matter.



Continued...

Sandwell Council House
PO Box 2374
Oldbury
Sandwell
West Midlands
B69 3DE
DX: 710070 Sandwell
Web: sandwelllegalservices.co.uk

I recommend that Councillor Olwen Jones is provided with specific training regarding declarations of interests. She is to complete this training within the next 4 months as part of the Member Development Programme. For the avoidance of doubt, I will not be recommending that this matter proceeds to a local hearing. However, failure to complete the training may result in this matter being reported to the Ethical Standards and Member Development Committee and possibly Full Council.

2. **Allegation 2** –That Councillor Olwen 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: In relation to allegation 2, I find this allegation, on balance, unsubstantiated. As such I am satisfied that no further action is required for this allegation under section 7 of the arrangements.

Yours sincerely



Surjit Tour
Director – Monitoring Officer