

## **Graham Jones response dated 9 March 2020**

Stephen

All my comments are from recollection and I cannot remember timescales accurately.

The project was commissioned sometime after Sept 12 and before Sept 15. I don't recall being on the Exec at the time and was not on the working group. I understand that the project and the way it was commissioned followed the recommendation of a cross party working group which in understand had legal advice. The Executive minutes at the time show cross party support for the recommended actions.

I was Deputy Leader and then Leader from Sept 15 to May 19. I recall discussions during Roger's time as leader but cannot recall detail. After I returned to the leadership in early 2017 the project had been commissioned and the case taken through legal process by Duncan Crook/his company. His initial case against the council was lost but he was given leave to appeal. Subsequently the legal process supported part of his case.

At this stage, as so much time had been lost with the project we took the decision not to appeal the court decision as this would have two significant risks – the project would be delayed for a further significant period [REDACTED]

[REDACTED] We took the decision that it was at this stage in the public interest to restart the project. The potential costs were discussed but I cannot recall them.

Advice came from Counsel and the authority's legal team. At the time of the Court of Appeal decision there were a number of articles in national publications about the case as the court's interpretation was different to what many in local government was the established understanding.

I hope this helps and answers the questions as best I can.

Regards

Graham