

STANDARDS HEARING STATEMENT 05 – CONFIDENTIALITY REQUESTED

Notes:

1. The interviewee wished to maintain confidentiality and has verified the content of this redacted statement.
2. Extracts from their statement appear as those of Witness E in Report 1.

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SOUTH DERBYSHIRE DISTRICT COUNCIL (WILLINGTON PARISH COUNCIL) –

Complaint by [REDACTED] against [REDACTED]

Summary notes of conversation between [REDACTED] and Melvin Kenyon (MK - Investigating Officer), Wednesday 4th December 11.40am – [REDACTED] Willington. Also present Karen Potts (KP).

Preamble

MK read the following preamble before starting the interview:

My name is Melvin Kenyon and I am an investigator for the Monitoring Officer of South Derbyshire District Council who has asked me to assist her in this matter. I myself am being assisted by Karen Potts who will be taking notes.

It is my normal practice to record interviews and I would like to do that in this case if that's ok with you? Could you confirm for the record that you consent to this please?

[REDACTED] then confirmed that [REDACTED] gave [REDACTED] consent to the recording.

For the benefit of this recording it is now Wednesday 4th December at 11.40 am and we are in [REDACTED] Willington. This is an interview with [REDACTED] about standards complaint number LAC/81 dated 15th July regarding [REDACTED] allegations about the conduct of [REDACTED]

I am conducting this interview under the powers given to the Monitoring Officer by the Localism Act 2011 which places councils under a duty to promote and maintain high standards of conduct.

I normally produce transcripts of interviews for what are called the Subject Member (in this case Councillor [REDACTED] and the Complainant (in this case yourself [REDACTED]). However, this time, at least in respect of the Complainants, I will instead be producing summary notes in the interests of value for money.

I will be writing a summary of what we say today, and I may include verbatim excerpts from the recording in that summary. The summary will be sent to you for comment before it is finalised, and that summary will then form the record of the interview. The recordings will not be shared with anyone else without your permission and they will be destroyed once the summary has been agreed by us both.

At this stage I am intending to produce a single report about the various complaints raised against the Subject Member. Before the investigation is completed, he will be sent a copy of the draft report and a draft of those parts of the report relevant to you will be sent to you to enable you both to make any representations you consider necessary. Having considered comments (and in particular comments about factual accuracy) on the draft report, I will then issue my final report. Parts of what we say today may be included in the draft and final report.

If the case is considered at a hearing, the summary of what you say may be submitted as evidence and you may be called as a witness. If you provide me with information of a private

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or sensitive nature, I will ask the Standards Committee or its equivalent that this be kept confidential. However, there is no guarantee that my request will be followed, and the information may end up in the public domain.

Please treat information provided to you during the course of this investigation as confidential.

There have been a number of complaints about councillors of Willington Parish Council. Before we go any further I want to talk about confidentiality and the practicality of you remaining anonymous once the report is produced. This is something you asked for when completing the Complaint Form.

Clearly natural justice dictates that [REDACTED] has a right to know about the nature of the complaints made against him. Some of the complaints, perhaps like this one, are very specific and it is likely that he will be able to draw his own conclusions even if complainants insist on anonymity.

Having completed the preamble, MK asked [REDACTED] about [REDACTED] thoughts on confidentiality.

[REDACTED]

MK said that he himself would do his utmost to maintain confidentiality for all parties in investigating and reporting on this and all complaints. Should [REDACTED] or someone acting on his behalf want more information about the complaint then s/he would need to go to the Monitoring Officer for that information because MK was acting for the Monitoring Officer.

MK confirmed that, in any event, he was dealing with the matter in a fair and even-handed way and was agnostic as to the rights and wrongs of any complaint.

MK asked [REDACTED] whether [REDACTED] was content with what he had said, and [REDACTED] confirmed that [REDACTED] was.

Complaint

[REDACTED]

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PAGE REDACTED

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[REDACTED]

Council Meetings

On 10th September the Clerk presented her report about the way in which the Parish Council functioned and made a number of observations and recommendations. It was clear, straightforward and fair and described the difficulties the clerk was having being bombarded with emails. Joe Cullen challenged the clerk on the contents of the report. It was decided that this was not the time to discuss it.

At the 24th September Parish Council Meeting Nicky Phillips made a statement about the report [REDACTED] Sue Carter was sitting beside Nicky Phillips and there were two empty chairs next to her on the other side. Paul Cullen (PC), who was sitting at the table at the end of the room where the councillors were sitting, “stormed up” saying he was no longer a councillor but was now a member of the public. He stood at the end of the row of chairs with two chairs between him and where Sue Carter was sitting. He did not look at Nicky or Sue though his body was angled towards them. He did not name Nicky but talked about the wife of a councillor who had resigned. Everyone knew who he was talking about. It was “totally, totally inappropriate”. Paul “got so close that to Nicky and Sue

[REDACTED] He was “angry”, and his body language showed that.

Nicky said little in response except to state how she felt. It was reported in the minutes that there had been “an argument” but there had been no argument.

[REDACTED] felt that PC had chosen to present himself as a parishioner to give himself the freedom to behave like that. He had done it once before though [REDACTED] could not recall when.

[REDACTED]

More recently [REDACTED] had gone to a Parish Council meeting [on 12th November] but had arrived late. Towards the end of the meeting Claire Carter suddenly said to PC “You’re videoing me”. She was really upset about it. Mark Bartram had also quietly suggested to [REDACTED] that PC was also videoing [REDACTED] though [REDACTED] was unconcerned. JC had asked PC to reposition the camera because the Chair had said that otherwise he would close the meeting. For around ten minutes Paul refused. Eventually a member of the public, a friend of theirs, agreed to hold the camera. PC was sitting on the “right side” when he normally sat on the left.

[REDACTED]

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[REDACTED]

They had “got rid of” four parish clerks. [REDACTED] had seen how [REDACTED] spoke to [REDACTED] (MK needed to speak to at least one of the clerks to better understand what had happened). [REDACTED] [REDACTED] On 10th April 2018 [REDACTED] was aware that [REDACTED] was being bullied at the meeting. [REDACTED] said [REDACTED] was not doing her job properly and went on to ask about her pension and why did she have so much holiday. At the end of that month [REDACTED] resigned. [REDACTED] followed her. [REDACTED] had thought she could take them on, but she could not. [REDACTED] who followed her, lasted only a few months.

[REDACTED]

[REDACTED] was upset about how the clerks, who were employees, had been treated. They were not respected by [REDACTED] If that happened in a normal place of work there would be real trouble. They could be “destroying somebody’s spirit” by behaving like this.

At a meeting in December 2017 Sue Carter had suggested that all councillors should have nameplates so that the few members of the public who attended the meetings could recognise them. [REDACTED] made it very clear that he would never have a nameplate, or his photo taken for the parish website. Nothing was to be shared in any way. Yet he was very happy to have his photo appear in the Liverpool Echo.

[REDACTED]

Other matters

[REDACTED]

The discussion closed at 12.45am