

STANDARDS HEARING STATEMENT 01 – CLLR PHILL ALLSOPP

Notes:

1. Phill Allsopp initially requested confidentiality but has subsequently decided to waive that.
2. As a result where the text of his statement is used in the Reports he is not always referred to by name. Instead he is referred to as Witness A in Report 01; Witness A in Report 02; Witness D in Report 03; and Witness A in Report 04. He is referred to by name in Report 08.

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SOUTH DERBYSHIRE DISTRICT COUNCIL (WILLINGTON PARISH COUNCIL) – Complaints by Phillip Allsopp against Cllrs Paul Cullen and Joe Cullen

Summary notes of conversation between Phillip Allsopp (PA) and Melvin Kenyon (MK - Investigating Officer), Wednesday 13th November 12.40pm – [REDACTED] Willington. Also present, Karen Potts (KP).

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 am myself 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?

PA confirmed that he gave his consent to the recording.

For the benefit of this recording it is now Wednesday 13th November at 12.40pm or thereabouts and we are in Sycamore Court, Willington.

This is an interview with Cllr Phillip Allsopp about Standards Complaint number LAC/78 regarding his allegations about the conduct of Cllr Joe Cullen [JC] and Standards Complaints numbers LA/86 and LA/96 regarding his allegations about the conduct of Cllr Paul Cullen [PC].

[MK: The interview also covered Standards Complaint number LAC/103, raised by PA on 11th November 2019, which had not yet been shared with MK by the Monitoring Officer].

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 Councillors Paul and Joe Cullen) and the Complainant (in this case yourself). 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 recording will not be shared with anyone else without your permission and it will be destroyed once the summary has been agreed by us both. If you would like a copy of the recording I will send one to you.

At this stage I am intending to produce two reports (though I may review that decision later) – one about the various complaints raised against Joe Cullen and the other about the complaints raised against Paul Cullen. Before the investigation is completed, they will be sent copies of the reports and a draft of those parts of the report relevant to you will be sent to you to enable you all to make any representations you consider necessary. Having considered

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comments on the draft reports, I will then issue my final reports. 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 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 in respect 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.

Clearly natural justice dictates that Paul and Joe Cullen have a right to know about the nature of the complaints made against them. Some of the complaints are very specific and it is likely that they will be able to draw their own conclusions even if complainants insist on anonymity. In the case of at least one of these complaints there were several people present at the meeting so identifying specific individuals will not be so easy. What are your thoughts on confidentiality?

PA replied that he was particularly concerned about the physical safety of himself and his family in regard to PC. This was a very real concern. He did not want to be a “sitting target”. He therefore felt somewhat restricted about what he could say. 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 PC or JC or someone acting on their behalf want more information about the complaints then s/he would need to go to the Monitoring Officer for that information because MK was acting for the Monitoring Officer. She was well aware of the need for confidentiality.

PA confirmed that he was not concerned about her willingness to maintain confidentiality but clearly some of the things he said might well prove to be attributable to him. MK repeated that PA would have the opportunity to review what MK wrote before it was declared to be the final record and that the recording itself would be deleted at that point and not shared with anyone else without PA’s permission. PA confirmed he was happy with that. PA understood that, for MK’s report to be worthwhile, he could not simply make a series of generalised statements. MK said that he would write his report with the need for confidentiality in mind in as far as he was able. Of course, redaction of parts of the final, agreed summary was also a possibility if it needed to be shared more widely.

MK emphasised 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 PA whether he was content with everything he had said, and PA confirmed that he was.

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Background

PA said that he had moved to Willington in 1998. He was spending much time working in Europe at that point. He had originally been elected to the Parish Council a couple of years after arriving in Willington and had served as Chair for a year. But pressure of work had forced him to resign.

After he retired a couple of years ago he had started to attend Parish Council Meetings as a member of the public. He was then co-opted onto the Council in August 2018, following the resignation of Sam Watters (MK should speak to him), and actually elected in May 2019. He had quite enjoyed the first few months as a councillor and had had little contact with the Cullens outside the meetings either in person or by email.

When Sam Watters resigned he had read out a strong, powerful statement about JC. Sam had been elected at the same time as John Phillips and Ian Walters following an election campaign during which they had unexpectedly sent an election leaflet to every house in the village. PA had himself stood unsuccessfully at that time along with two other candidates.

The three of them had come onto the Council (around five months before PA was co-opted) with lots of energy and ideas and wanted to drive the Council on. All three, and John Phillips in particular, had clashed with the Cullens, perhaps because they were seen as novices. They did not seem to be able to agree on anything. PA was therefore aware that there were issues at the time of his co-option to the Council though he had not known what those issues were because they were not discussed in open session.

After his election in May 2019 he was asked to stand as Chair at the Annual Parish Meeting because the then Chair, Cliff Warner (a friend of his), had lost his seat. He was voted in as Chair (Tim Bartram, newly elected, was the other candidate). The vote was split, as it usually is, along the normal lines (see later).

He had not encountered the Cullens at all before his election as a councillor. JC [REDACTED] comes across as aggressive even under normal circumstances! When he first observed him at meetings as a parishioner he felt that he had a lot to say and was quite aggressive in presenting his opinions.

PC was the Vice-Chairman at that time and was always very quiet at the meetings. He appeared composed, articulate and intelligent but he was definitely “pulling people’s strings”. He did not come across then in the way he had come across since PA had been appointed Chair.

PC and his father were “a double act”. His father was brash and loud and happy to call people out and be rude and disrespectful at meetings. At that time there were two other older female councillors (no longer on the Council) who voted with the Cullens all the time. The two female councillors – for different reasons – no longer attended Parish Council Meetings after around November 2018 and the Cullens themselves had barely attended meetings between then and May and had had little input when they did attend. The Parish Council got on well and progress was made, for example, with the Neighbourhood Development Plan.

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After the election in May 2019 the new Council was constituted, and Ros Casey, Tim Bartram and Caroline Blanksby were amongst those elected. They too had sent out an election leaflet. They had joined the Council to support the Cullens, as is their right.

[REDACTED]

PA and others had also put out a joint leaflet. PC was upset about this because he had not been included. PC was barely elected. JC had made no comment.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PC had expressed concerns about the possible effect of the complaints on his job during an Extraordinary Meeting on 24th July (an exempt item). [REDACTED]

[REDACTED] PA understood that public servants had a code of conduct that they had to follow. If these issues became public it could lead to problems for PC in his role as a public servant, PA understood. PC had apparently gone to his HR Manager and told him/her that there were issues in the village.

PA said that, in his opinion, the Cullens had intimidated Chairs and Clerks over the years who had eventually refused to battle on and had simply resigned rather than raising complaints. PA understood that JC had given Bill Harding (whom MK should perhaps speak to) a particularly hard time though he did not know him very well. The Cullens had managed to sweep aside anyone who stood in their way and had got away with it for quite a long time.

However, individuals were now starting to make a stand and raising complaints against the Cullens. PA felt that, because he was now meeting opposition for the first time, PC was becoming concerned and this was why he was reacting as he was.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The “Megabus” email and subsequent events

PC and JC appear to hate the owner of the Dragon pub. [REDACTED]

[REDACTED] During the time he has owned the Dragon the owner has put 25 planning applications into SDDC, some of which were opposed by the Parish Council. PC and JC have allegedly objected personally to all these applications and it may be that the Council’s opposition was driven by PC and JC (PA did not know). The Council lease some land from SDDC which is adjacent to the Dragon. Written into the standing orders is a stipulation that no business should use that land, though charities can. PA had heard, but not verified, that this stipulation had been written in by PC.

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On 4th May, soon after the elections on 2nd May, PC sent an email to all Parish Councillors pointing out that the Dragon had put a bouncy castle onto the land for the bank holiday, in breach of the policy. He asked permission of the Council for him to go and ask them to remove it. Apparently Cliff Warner, the retiring Chair, agreed to this but John Phillips was against it. Whilst many residents do not like the Dragon there are many who would have wanted to be able to take their children to enjoy the bouncy castle whilst they enjoyed a drink at the Dragon.

John Phillips replied to PC soon after he had sent his email suggesting that he should not be so silly (or similar). Things accelerated from there. There was an exchange of emails between them that became nasty before John Phillips sent an email [MK: at 21.20] saying, “Hi Paul, I’ve had a call from the Mega Bus... They’re happy to take all sorts of scumbags and drug dealers back to Liverpool tomorrow ... if you know any please let them know I’ll pay ... This is a public service broadcast”. John Phillips had copied in several councillors.

It was this incident that “kicked everything off to the point that it is today”. PC was “raving” about it at the Annual Parish Meeting that took place on 14th May though John Phillips kept his cool, which was just as well.

At the next meeting on 11th June, PA’s first as Chair (apart from the Annual Meeting), PA was nervous because of what had happened following publication of the articles in the Liverpool Echo and its sister paper the Derby Telegraph about the “Megabus” email. Photos of the Cullens in their Everton shirts had appeared as did a photo of John Phillips. John’s Parish Council email address was also published somewhere along the line. There had been the suggestion that there would be a contingent of people coming from Liverpool to carry out a “peaceful protest”.

Before the meeting PA had spoken to Ardip Kaur and the SDDC Chief Executive Frank McCardle who had both confirmed that this was not a Parish Council matter. As recently as last night (12th November Parish Council Meeting) PC was still trying to elicit an apology to the people of Liverpool from the Council. PC had been demanding such an apology since June. DALC had also confirmed that this was a private matter. PA would not, therefore, allow it to be discussed at any meeting because it was a private matter.

PA is professionally experienced at chairing meetings but found this one “quite intimidating and quite difficult” because PC “would not shut up” and “kept having a go at John” (who had by now resigned because of concerns for his family). PA had “thought naively” that that would be the end of it [REDACTED] But it wasn’t. However, PA “got through the meeting”.

[What follows can be redacted as necessary should this be circulated more widely]

PA believes that PC [REDACTED] is extremely sensitive to criticism, does not like challenge and likes to be liked. “You are either with him or you are against him”. He regularly portrays himself as a victim, with everyone against him.

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He regularly tries to belittle PA, questions his judgement and publicly accuses him of misleading the public, even in the face of legal advice from DALC. He does not take “no” for an answer and is personally very intimidating. It is often tempting in such circumstances to let him have his way to “get him off your back” and to “back off”.

An example of his “bluff” is the Axis 50 planning application which would have a major impact on the village. In PA’s absence on holiday in September the Council agreed to spend £7,000 on a professional planner to put an objection in even though the clerk advised that this was not legal (as advised by NALC via DALC). Because this advice did not fit with PC’s view “it [the legal advice] doesn’t exist”. There had been a similar objection the night before MK’s conversation with PA (12th November) in respect of Ivy Close.

At a recent (June?) Extraordinary Meeting (which PC often called) PC had got onto the agenda three items about PA’s personal ability as Chair and the role of the Chair. Such items were often preceded in the days before by intimidating and bullying emails. PA no longer answers such emails because such emails are often “sprats to catch a mackerel” and led to exchanges of emails (as with John Phillips) which raised the tension. His failure to answer emails was also on the agenda at the meeting and PA had said in the meeting that he “did not respond to vexatious, harassing, intimidating and bullying emails” and, as a result, did not open PC’s emails. This had caused PC to back off. The two subsequent items were not then discussed.

As a result, PC had not sent PA any emails for two to three months, but he had recently started to send similar emails again. A recent email, for example, had stated that he would not allow PA, Debra Townsend, Claire Carter and John Houghton to bully him and if they continued to do that he was going to “take them to task”. This was undoubtedly a threat and was quite chilling and sinister. He had recently sent similar obnoxious emails to Debra just prior to a meeting.

By contrast, JC is [REDACTED] aggressive, and does not care what he says or what he writes. He is “awful, horrible but what you see is what you get, though you can almost deal with that”.

[REDACTED]

[The above can be redacted as necessary should this be circulated more widely]

In the early days PC had planted friends and family in the parishioners’ section of the meeting who had asked questions on his behalf, often about John Phillips and seeking a public apology from John Phillips and asking the Parish Council to make a public apology to the people of Liverpool about his behaviour.

At the 11th June Parish Council Meeting Debra Townsend was voted in as Locum Parish Clerk having been sourced from DALC (with the usual 6:5 split on the Council at the vote). She is a strong, tough, experienced, resilient lady but at times feels challenged by the Cullens’

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behaviour and has had a “tough time” in the role [REDACTED]

JC’s view was that he would do the clerk’s job with the help of Ros Casey. The Cullens therefore had a dislike of Debra immediately. Before taking on the role she had known nothing about the Council, or the individuals concerned and did not live locally. She did, though, know before she took the role on that there were issues.

The Cullens had previously seen off other clerks - Laura Storey, [REDACTED] Justina Nurse and Jacqui Storer, for example. Rebecca House had worked as clerk for only a month before she received what she saw as threats by email in the wake of the Liverpool Echo article and resigned because of probably unfounded fears for her safety. [REDACTED]

There was a search currently underway for a clerk to replace Debra being done under the aegis of a Staffing Committee (Joe Cullen, Ros Casey, Caroline Blanksby, PA and John Houghton). PA was currently trying to slow the pace of this search (there were three viable candidates already in post as clerks elsewhere) because he felt it would be wrong to have someone resign a position to join the Willington Parish Council when things were so “hostile”. JC treated clerks particularly badly though both Cullens were putting pressure on Debra. PA felt that this was because the clerks controlled the agenda and, if they did not get their way as regards the agenda, they tended to become abusive and aggressive.

[REDACTED]

Matters relating to Complaints

This was important background to the three complaints that had been made by PA which MK had been asked to investigate. PA then took MK through each of the three (as well as a fourth) in turn. [He also referred to the events of the meeting the evening before their conversation which later resulted in a complaint, LAC/107, by Claire Carter].

LAC/78 raised by Phil Allsopp on 4th July 2019

Complaint LAC/78 referred to harassing, abusive and generally vexatious emails from Joe Cullen which PA had been receiving since he became Chair. JC knew that PA had put this complaint into the Monitoring Officer so confidentiality was not an issue here.

PA then shared a number of emails (though there were others) that contained the kind of harassing, vexatious and abusive language that PA was objecting to. Some of these had not

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been included in his original submission to the Monitoring Officer. PA said that these emails and others should be read by MK in detail to get a proper flavour of the kind of emails that were being sent by JC. MK agreed that he would do that after the conversation. PA said that, should any further emails arrive that he felt were similarly abusive and vexatious, he would forward them to MK, perhaps via the Monitoring Officer, so that MK could consider them to be part of this same complaint.

24th May 11:52 – This email, copying all councillors, was one of a series about the recently formed Staffing Committee. At the first meeting of the Parish Council after the election (the Annual Meeting on 14th May), when councillors indicated which committees they would like to serve on, PA had expressed interest in the Staffing Committee. JC had been adamant that, as Chair, PA could not be a member of the Staffing Committee and had been very vocal about it at the meeting. This was not actually true though PA did not know it at the time and did not push it because it was his first meeting; anyone has a right to join any committee. PA was now a member of the Committee.

The earlier emails in the series were about a pending performance review of the then clerk Rebecca House which included, in PA's opinion, sensitive information which JC had shared with all councillors as well as with the clerk herself. PA pointed this out politely to JC (as Councillor J Cullen because he had forbidden others to call him Joe). JC replied simply "I sent the email to the clerk and it was no mistake, I asked for information regarding the Staffing Committee, there is no sensitive information in my email, and don't reply to this email".

PA made the mistake of replying and received a reply suggesting PA was a member of "the clique" and referring to John Phillips, scumbags and drug dealers. PA replied. JC then sent the email of 24th May. Following a "rant" about his potential involvement in the Staffing Committee JC went on to say, "Your interpretation of sensitive information and my interpretation are perhaps not the same, probably very much in the same way as your view of racist, discriminatory comments and mine are different. I stand up against them whilst your continued silence suggests you condone them. I would also add that you appear to believe that your recent appointment as Chair of the Parish Council had elevated you to some kind of "Super Councillor" status, so can I just take this opportunity to bring you back to earth and remind you the Chair has no executive powers".

28th May 8:34 – This email followed up on the previous email and asked nine questions. PA found several of the questions and the aggressive tone completely unacceptable.

5th June 8:11 – This email was sent as a result of Rebecca House's decision to resign as Parish Clerk and shared an email from JC to Rebecca House. This referred pejoratively to Councillors Houghton, Phillips and Walters and referred to her having to "put up with all this rubbish". Once again the tone of the email was unacceptable.

6th June 17:17 – This email was part of JC's continuing effort to get John Phillips's "discriminatory" email onto the Parish Council agenda in face of the SDDC Monitoring Officer's and DALC's advice that it was not a Parish Council matter.

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8th June 7:31 – This email related to Paul and Joe Cullens' efforts to find out why PA had met the SDDC Compliance Officer on 5th June and why he had not sought Full Council approval (he did not need it). The meeting (by phone) had actually been about the threat of people coming to the Parish Council Meeting from Liverpool.

JC's email asked whether he had had a meeting with the Compliance Officer. It said, "A simple Yes or No will suffice, as long as it is an honest, Yes or No, please do not compound your mistake by giving a dishonest answer, or what little integrity/credibility that you now have, will disappear altogether". PA did not reply for obvious reasons.

11th June 7:31 – JC followed the previous email up with one that said, "Seeing as you have not done me the courtesy of a reply to my email below, I would think that councillors will draw their own conclusions, but not answering my question speaks volumes, but to me personally it says you are a man of no integrity and no credibility, so how can anyone ever trust you again."

4th June 23:07 – This email chain has been included to illustrate that JC had written to John Houghton in a bid to try to exclude PA from a discussion about the appointment of Claire Allen as the new Administration Officer.

25th October 2019 10.43 – This email referred to Caroline Blanksby's election as Chair of the Carnival Committee (which has nothing to do with the Council). The unsuccessful candidate was John Houghton who had been put forward for the same role against his will. It was John's vote that ensured that Caroline was elected! The email, sent to all councillors (including John Houghton) said (of John) "Once people see through his façade, there was only one winner, the decision was a no brainer, they will always choose champagne over plonk. Now you just have to watch your back".

19th October 15:28 – This email is at the end of an email chain about an alleged incident involving Cllrs Ian Walters and Ros Casey outside the Council Meeting Room after a Parish Council meeting on 14th May. Its tone is offensive in particular towards the Monitoring Officer and towards Cllr Walters who already had been cleared by the Monitoring Officer when a complaint had been raised against him.

11th November 15:52 – This email was sent earlier this week. It referred to the Axis 50 Planning Application, the decision to employ a Planning Consultant and the Chair's Update to parishioners on behalf of the Parish Council. It suggested that the Chair voted against the proposal (he was actually on holiday so could not vote and would not have supported it because it was not legal). It went on, "So, why is he trying to mislead the people of Willington, when everyone who was at the meeting, and there were quite a lot all know, that he is not being honest in his report, just trying to make himself look good, but it does not work like that when people know the truth, Everyone knows the way he voted and those people who were not at the meeting and are interested in Axis 50 have been informed by me and others the way the voting went". He later added, "And for blatantly misleading the people of Willington I believe that he should resign".

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As a result of the abusive, harassing and vexatious nature of the emails PA no longer replied to any of JC's emails.

LAC/86 raised by Phil Allsopp on 19th August 2019

This complaint referred to PC twice copying PA's personal email address, which is not on the Parish Council website, to someone outside the Parish Council without his permission. He had also sent disrespectful, abusive and vexatious emails over a period to time to try to force PA to resign.

This complaint had originally been put in about JC and PC and emails of this kind. However, at the 24th July Extraordinary Meeting PC had shown some vulnerability, sent an email saying that the meeting had been very positive, and things appeared to be blowing over. By 19th August, that no longer seemed to be the case and things were getting worse.

MK said that he would look separately at the question of confidentiality and the email address (see emails of 12th and 13th June involving Billy Randles) and asked PA to concentrate on the emails.

PA then shared a number of emails (though there were others) that contained the kind of vexatious and abusive language that PA was objecting to. PA said that they were intimidating and contained personal attacks on him. He said that these emails and others should be read by MK in detail to get a proper flavour of the kind of emails that were being sent by PC. MK agreed that he would do that after the conversation. PA said that, should any further emails arrive that he felt were similarly abusive and vexatious, he would forward them to MK so that he could consider them to be part of this same complaint.

5th June, 15:58 – This referred to the Chair and Vice-Chair “freelancing and failing to communicate with the wider Parish Council” and the need for PA to work “diligently all day to see what action the Parish Council could take against Councillor Johnny S Phillips for his vile racist, discriminatory comments”. This should apparently have taken precedence over the financial audit which was taking place. See the email from John Houghton to councillors at 12.41 that same afternoon.

6th June, 16.06 – This referred to the role of the Chair and Vice Chair and PC “absolutely not “wanting to understand the role of the Chairman” because I am actually “knowing the role of the Chairman”. It refers too to the “maverick manner in which you have acted in your first month in post”. This occurred at a time that PC was trying to get PA to resign.

11th June 17:09 – “Chair and Vice Chair freelancing at will, both clearly have an inability to communicate with the wider council”. Sent in response to a statement that PA met the auditor. Any councillor has the right to meet with DALC without anyone's permission. Full Parish Council approval was not required.

12th June 20:48 – The “Billy Randles” email which contains the phrase “Again all Councillors copied in, in the interest of transparency, (something that Councillors Allsopp and Houghton would do well to remember). These emails also breached confidentiality.

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14th June 22:00 – An email requesting an Extraordinary Meeting, which included an attachment suggesting that “the Chair has refused to answer very open, honest and straight forward questions. Councillors Allsopp and Houghton appear to have a misconception that their role brings with it superior executive powers, which of course clearly is not the case. In order for the Council to move forward in a more harmonious manner it is of paramount importance that Council[lor]s Allsopp and Houghton have a full understanding of their roles and responsibilities”.

18th June 21:14 – This email was sent to Debra on day three of the seven days available to the Chair to consider the request for an Extraordinary Meeting. PC had taken it upon himself to prepare his own agenda and set up his own meeting. He also wrote, “I would just add that the behaviour of some Councillors and their inability to communicate is really very disappointing”.

19th June 19:45 – This email had been sent to Deb further to the 18th June email. PA saw its tone as threatening, particularly the second paragraph. This was an example of PC trying to take charge without following due process (to do otherwise does not suit him). PC was not happy that the Extraordinary Meeting would discuss other urgent matters (an item about burials, for example), which is permitted. “If you or the Chair fail to answer my perfectly reasonable questions in the email I sent out earlier today, the posted agenda ... will be taken down and replaced with the attached agenda which is specifically ... what [was] actually asked for. You will also note that the Extraordinary Meeting will now take place on Thursday 27th June”.

The meeting took place as scheduled by the Chair on Tuesday 25th June. Minute 369/19 records PA’s statement at the meeting that he would not be replying to harassing and vexatious emails.

20th June 12:14 – This email was one of a number of emails about litter near to two entrances of the old Willington Power Station. When PA joined the Council he and the then Chair, Cliff Warner, had organised a litter pick which was done under the aegis of the RAC Committee. The then clerk Jacqui Storer had sourced the necessary bags and equipment for the pick. The collected litter was picked up by SDDC the following day.

Just before the election PA did another “private” litter pick with his son. His son posted some photos of them doing the litter pick on the Spotted Willington Facebook Group (which PA was not happy about). PC responded to this on 28th May by asking for copies of risk assessments and for the exact dates of the litter picking events. [REDACTED]

[REDACTED] He was trying to “belittle” PA for not having done any risk assessment and not actually having carried out the litter picks.

PC wrote (copying in all councillors), “Now, I suspect that you haven’t forwarded the items I’ve requested as the truth is the RAC carried out no such events and your [sic] probably feeling a little embarrassed that you mislead [sic] both Councillors and members of the public at the May meeting, (of course no suggestion on my part that you do this deliberately)”. PC then continued in a similar vein. PC was accusing PA of lying. He had found this intimidating

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and had actually found some emails from Jacqui Storer which proved that the events had taken place.

There had been other emails subsequent to PA's complaint that he wanted to be considered as part of the complaint by MK and PA said that he would send other similar emails to MK as they arose for inclusion in his complaint. PA then shared two such emails.

9th October 23:19 – This email to PA was about the proposed Ivy Close development discussed at the Parish Council Meeting on 8th October and PC's disappointment at the outcome following a close vote.

PC had requested an Extraordinary Meeting (questioning the locum clerk's ability and her advice that such meetings were not exclusively for urgent business and saying that the clerk had misled the public). Requests for Extraordinary Meetings tended to happen when PC did not get his own way. The email ended with the statement, "I would also note the extreme hostility directed towards me by yourself [PA], Cllr Houghton, Cllr Carter and the Locum Clerk which I do hope will not become the norm. As I've said in the past, I will not tolerate bullying and will have no hesitation in taking those members who think this kind of behaviour is acceptable to task". PA took this statement as "a very, very clear threat". There had been no hostility and PA suggested that MK should listen to the audio to verify this.

7th November 20.19 – This email was a follow up (though emails were actually still continuing) to a series of emails about the raising of a complaint about the Locum Clerk, Debra Townsend, for holding an inquorate meeting. It showed (i) PC's unwillingness to accept the advice that the Council's complaints process was actually fit for purpose. This advice had been given to the Chair by DALC whose recent advice PC said had been "questionable". This advice did not fit his version of events; (ii) PC's desire to create the impression that he was the subject of "brutal hostility"; and (iii) his threats (solicitors etc.) and antagonism towards the Chair, the Vice Chair and the Clerk. PA had not replied to the email of 10th October because he had received confirmation from DALC that the approach taken by the Locum Clerk was legitimate so there was no complaints process to be followed because a complaint was invalid.

LAC/96 raised by Phil Allsopp on 4th October 2019

This complaint referred to an incident that took place at the Extraordinary Parish Council Meeting of 24th September. There had been several complaints about this incident, which had been captured on an audio record. The meeting was one of three or four Extraordinary Meetings that had been called by PC in recent months.

Nicky Phillips (NP) and her mother, Sue Carter (SC), were amongst around 20 parishioners who were in the public area of the meeting. After a contribution from another parishioner SC said that it was about time that the Council started to act for the benefit of the village. NP was sitting next to her mother at the front of the public area on the end of a row and there were three vacant seats next to SC. NP then read a prepared statement [which MK had a copy of] which was similarly critical of the Council but did not name particular councillors. PA did not believe that either NP or SC were trying to wind the situation up.

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At this point PC indicated that he was going to speak as a parishioner, stood up and started to speak. PA asked him to sit down but he continued speaking as he walked to the public area. He sat at the end of the row where NP and SC were sitting and berated NP and suggested that she needed to have a hard look at her husband (he did not recall what was said because he was wrapped up in bringing the meeting to order). PC's proximity, attitude, tone, body language and words were intimidating. NP replied to him and there was an exchange of words. PA then spent a few minutes trying to get the situation under control and asking both NP and PC to stop. PA felt that PC was abusive towards NP – he called her and her husband out and thus breached the code of conduct. PA thought that JC joined in too, but the recording would confirm what was actually said and by whom. Caroline Blanksby and Ros Casey stood up and applauded which did not help the situation. The audio did not really capture the tension in the room which was electric.

After that, a third parishioner, new to the village, then also said that the meetings were a “car crash” and “embarrassing” [Minute 458/19]. PA agreed with that sentiment.

LAC/103 raised by Phil Allsopp on 11th November 2019

[Note: This complaint had not been formally passed to MK at the time of the interview but was subsequently passed to him by the Monitoring Officer. It was, in any event, referred to by PA in discussion and shared informally with MK].

There was to be an RAC Committee (of which JC is a member) on 4th November at 7pm. PA had posted the agenda on the morning of Thursday 31st October. There should have been three full days between the posting and the meeting (excluding Sunday and the day of the meeting itself). JC (without apology) and Tim Bartram (apologised) did not turn up though others (Councillors Blanksby, Casey, Houghton (who was late) did as did a non-councillor Brian Davis who is also a member of the committee). A parishioner Sue Carter (mother-in-law of John Phillips) who attends almost all Parish Council and other meetings was also present. She had been attending meetings since she first arrived in the village a few years ago. She runs the Spotted Willington Facebook Group.

At 6.59pm PC arrived with a camera on a tripod and pointed it directly at PA from maybe ten or twelve feet away. PA opened the meeting for public participation. PC was allowed to participate as a parishioner, PA said, and at that point he intervened and said that the meeting had to stop immediately because the statutory notice had not been given. PC was correct though he could, of course, have given advance notice of his objection. Mindful of this PA closed the meeting and suggested an informal discussion should take place to progress matters without making any decisions. Councillors Blanksby and Casey refused to do that.

PC then turned his camera off and, with a sneer on his face, started to leave the room. As he was doing that PC walked past Sue Carter who had asked a question about noticeboards. He said, “you don't have to take any questions from her” and walked down the corridor. Sue Carter said, “I beg your pardon, who are you talking about when you say “her”?”. PC returned to the room, tapped Ros Casey on the shoulder and said, “you stay here ‘til she leaves the meeting and then report back to me what she's said”. Sue, a tough lady, then shouted down the corridor “Who are you calling she?” there was then an exchange in the corridor, though

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PA did not know what was said. PC reduced Sue to tears, and she asked PA, Brian Davis and John Houghton why they had not protected her. It happened in a flash. PA had raised a complaint about that the on 11th November.

Having been calm and quiet at meetings when PA had attended as a parishioner, PC was no longer like that. “The red mist seems to come up”. He had gone to that meeting with the intention of stopping the meeting and make PA look like a fool. Why would he point a camera at PA, a fellow councillor?

12th November Meeting [This subsequently led to Complaint LAC/107]

PA and Debra Townsend had now decided to routinely make audio recordings of meetings. Last night [12th November] JC had arrived a couple of minutes late and announced he too would record the meeting, as did certain parishioners. PA found these multiple recordings stressful.

PC sat next to PA (he did not normally do that). PA noticed a device on a sucker next to PC’s paperwork. He did not go through the same routine that they had previously where PA said that it was courteous to let others know that he was recording, and PC said that he did not have to – “it would just wind him up”.

The meeting continued and went well. PC made many notes and contributed little. Part way through the agenda Claire Carter started to look uncomfortable and kept moving her chair backwards and forwards before saying “He’s videoing me”. The device next to PC was a camera pointed at her, three feet from Claire. She said that he had been moving it and pointing it at different individuals including PA and Debra Townsend in the course of the meeting.

PA called a halt to proceedings. PC was not asked to stop filming but to move the camera so that Claire did not feel intimidated. Various suggestions were made for location of the camera so that the whole meeting could be filmed. PC refused. He said, “You can’t make me move it. I’m perfectly within my rights to leave it here and video whoever I want”. JC asked him to reposition the camera so that the meeting could continue. Meanwhile Claire had moved and had positioned herself behind the clerk so as not to be filmed. She was unwilling to sit next to PC.

PA then formally suspended the meeting for 15 minutes and said that, if PC did not reposition the camera so that Claire did not find it intimidating, then he would close the meeting. PC said that he could not do that because it was illegal. PC “simply didn’t get it”. There was much discussion about it until, with two or three of the 15 minutes left, PC relented and a friend of PC in the public area took charge of the camera. PC made a statement that he had relented to keep the meeting going but that, at the next meeting, it would be positioned where it had been and that was that because it was perfectly legal. PA’s view was that it could not be legal to focus on a single individual in that way by placing a camera three feet from their face.

The last item was about Debra Townsend’s Clerk’s Report in September. The last paragraph (18) of her report had said that if the councillors were not happy with her performance then

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she would walk away. JC had made it his business (he had emailed her) to get her to honour that and had tried to get it onto the agenda. She had refused to put it on the agenda.

Paragraph 17 was about how she had spent far more time than she should have done dealing with emails from individual councillors (the Cullens - without naming them) and that in future she would not be doing that within the 14 hours allocated to her. She had said that, in the main, the councillors were a pleasure to deal with.

JC had tried to change the agenda item to discuss her performance in exempt and wanted Debra to leave the room. He wanted to force her out. That did not happen and was, in any event, too imprecise. He was entitled to do that next month.

At the end of the meeting five councillors left leaving five remaining councillors and Debra to reconfigure the room. Claire was “visibly shaken” by what had happened and wanted to talk about it. Whilst he and Debra were talking to her PC pressed his face against the window from outside and, a few seconds later, burst into the room and asked what they were talking about. Within moments the other councillors came back into the room – “they must have been concerned about him and what he might do”. PC again made a statement saying that next month he would film as he had been doing and there was nothing anyone could do about it and the meeting would go ahead. PA confirmed that they would be seeking guidance from DALC.

John Houghton, the vice-chair, then asked PC why he was doing what he was doing. PC took his rucksack off and threw it on the chair saying, “I’ll show you why”. He unzipped the rucksack, took out a yellow folder containing the complaints that had been made against him and started throwing the complaints about. He “sees himself as the victim”. John Houghton (who has many grounds to make complaints) said he had not complained about anybody. PC replied that that was not true – he had “a mole in South Derbyshire District Council” who had told him that he had put complaints in against him. This was a clear untruth.

PA had told him that complaints had been raised against most councillors, including himself and John Houghton. The Cullens had definitely raised some complaints. Most were “made up”. PA thought that PC was starting to become worried and that his employer might find out. He and PC were the last to leave. There was discussion between them about whether the whole council should resign (which PC did not want) and PC had told PA that Sarah Walters [wife of Ian Walters and sister in law of Mark Bartram] was threatening to go to his employer. PA did not know whether this was true. PA felt that he was starting to worry and to lose his cool hence his recent behaviour.

PA then shepherded everyone out and locked up. He saw Debra off in her car and he walked Claire Carter to her car whilst John Houghton and PC continued a “debate” around 20 yards behind them. They passed Claire and Phil at her car and continued walking to an underpass where they had a conversation. John walked back and, as he did so, PC shouted something to him whereupon he went back. At this point Tim Bartram joined in and PC started to film him saying “Are you threatening me?”.

The discussion closed at 4.25pm