

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

Notes:

1. Paul Cullen declined to sign this statement (a verbatim transcript) off as accurate. The audio record has therefore been retained so that it can be referred to as the primary source should questions be raised about the accuracy of the text.
2. Whenever I referred to the text of this statement in the Reports I went back to the original audio version in the interests of absolute accuracy. If the reader identifies any differences between the text in the Reports and the text in this statement the reader should rely on the text of the Report as the accurate version.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

SOUTH DERBYSHIRE DISTRICT COUNCIL – Complaints raised against Councillor Paul Cullen of Willington Parish

Sunday 8th March 2020, 9am – Donington Manor Hotel, Castle Donington

Transcript notes of conversation between Cllr Paul Cullen (PC) and Melvin Kenyon (MK) Investigating Officer and Karen Potts (KP) Associate

Formal preamble

MK read the following preamble:

Good morning.

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 have a formal preamble which I must read out verbatim. This preamble will be recorded. I will then ask you, Cllr Cullen, to confirm that you are content for the recording to continue once the preamble is completed.

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 and may ask some questions of his/her own or prompt me if I forget something.

For the benefit of this recording it is now Sunday 8th March at 9am or thereabouts and we are in the Hastings Room of the Donington Manor Hotel in Castle Donington.

Also present is Cllr Paul Cullen of Willington Parish Council, the Subject Member, who is accompanied by a work colleague Mr Richard Stevens who is here solely as an observer.

For the record this is an interview with Cllr Cullen about standards complaint numbers LAC/107, LAC/94, LAC/95, LAC/96, a letter appended to LAC/77, LAC/103, LAC/105 and LAC/86. These complaints were made by various individuals in Willington who have asked to remain anonymous and they relate to Cllr Cullen's conduct as a Parish Councillor there.

I want to be clear before we start that this is an interview. It is not a "trial". I am not a "prosecutor". I am an independent, objective investigator here to gather evidence and to put to you, allegations made by others.

It is my normal practice to make an audio recording of the interview for the sake of accuracy and efficiency and I would like to do that in this case. I will explain why in a

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

few moments. I will not be making a video recording of the interview and I will not permit a video recording to be made by you.

Could you first confirm for the record that you understand that there is to be no video recording of the interview?

PC – I understand but can I just ask under what legislation is it you refer to?

MK – It's just that I don't want to be recorded and neither does Karen. It's as simple as that.

PC - OK

MK - Could you next confirm for the record that you consent to the audio recording of the interview?

PC – I do indeed

MK - Thank you. The recording will therefore continue.

Once the interview concludes I will use the audio recording to produce a verbatim transcript of the interview. The transcript will be sent to you for your agreement that it is an accurate record of what was said before it is finalised, and that transcript will then form the record of the interview.

The recording will not be shared without your permission with anyone beyond those who have a direct interest in the investigation (including the Monitoring Officer and the Standards Committee, if a hearing is necessary) and I will destroy my copy of the recording once the Investigation is complete.

I am content to share a copy of the recording with you, as Subject Member or alternatively you are entitled to make your own recording of the proceedings, which he is doing.

Please confirm whether you would like a copy of the recording.

Please note that you must keep any recording confidential and it must not be published in any form. For the record we insist on the confidentiality of the Investigation and we do not agree to publication of the recording or of any documents relating to the Investigation without our express permission.

Once I have completed my interviewing, I will produce one or more reports. By that, I mean that there are several complaints, so there may be more than one report. Before any report is finalised, I will first share it with the Monitoring Officer so that she can satisfy herself that the Investigation and report have been thorough and of an appropriate standard and quality. The report will then be sent to you and to the

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

Complainants for comment and to enable you to make any representations you consider necessary.

Having considered comments and representations on the draft reports, I will then issue my final reports. Please note that I am under no obligation to incorporate such comments or representations into the final report. Note too that parts of what we say today may be included in the draft and final reports.

If the case is considered at a hearing, the summary of what you say and what I say, of course, 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.

To repeat, please treat information provided to you during the course of this Investigation as confidential.

Do you agree to what has been said and to abide by the restrictions regarding confidentiality and audio and video recording?

PC – Can I just clarify, statements surrounding disclosure to third parties? Is that whilst you're investigating? So, a conclusion of your investigation, am I at liberty to share that?

MK – I think it depends on what the outcome is. If this were to go to a Standards Hearing, then it is my understanding; you would have to confirm it with the Monitoring Officer these become public anyway. These hearings are held in public. Therefore, I guess because they are held in public, they are public. Is that OK?

PC – Yes. I just have one question. I take it that we've started, and I take it that we are about to get into the nitty gritty.

MK – Yes.

PC – I just want to be clear about one thing. I don't believe I am in any mental state to be here today and that is supported by a doctors' letter and occupational health report and I'm undergoing counselling, at the moment. The only reason I am here today is that I feel that I've been pressurised to be here in order to defend the allegations that have been put forward against me. I'm happy to share the doctors' letter with you but I'm not happy to share the occupational health report.

MK – It's entirely up to you Paul if you continue with it.

PC – So my question would be, and I get that. I'm happy to be, I want to be, engaged in the process but when I'm deemed by, a medical practitioner, that I am in the right

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

place to do so. Now it is my understanding that if we hadn't met by next Friday, you would have carried on and concluded your investigation.

MK – I have been commissioned to write a report. You don't have to talk to me today. There is nobody forcing you to talk to me today. I would still write the report and I would send it you for your comment. It won't surprise you to learn there are occasions when we do these investigations and people just refuse, that's it they just won't talk to you. That can't bring the investigation to an end. It just can't. Does that make sense?

PC – I completely understand that. I just want to re-iterate, and I hope that this will be captured somewhere that I absolutely want to be involved in the process of clearing my name. It's just that at this given point in time, supported by medical evidence I'm not in the right, mental, frame of mind to do so.

MK – Well would you rather that this did not continue? I will still write the report, as I've said, and it will still come to you and I am happy to reflect what you have said in that report.

PC – If you are still of the mindset to continue with writing your report, then I'm content, I think that's probably as much as it will get. I want to be involved, whether that's this week, next week, next month or in six months' time. I just don't feel that I'm mentally in the right place to be able to do so today but if you want to continue with the investigation, then I will remain here today.

MK – I have no alternative to carry on because I can't put it on hold for six months, twelve months, eighteen months.

PC – I mean, I don't know, can you? That would be my question.

MK – I don't think so. I can clearly check with the Monitoring Officer but I imagine she would say this just needs resolving because, if I might say so, there are other people who are apparently suffering from this situation and therefore for the benefit of everybody it needs to be concluded. We cannot force you to talk to us and if you do talk to us then what you say to us will be reflected in the report. If you'd rather not talk to us, for absolute clarity, then I can't reflect what you say in the report and therefore I have to write it without your input at that point. If you want to take a few minutes to think about it, that's fine with me.

PC – no, I understand what you're saying. Can I just pick up on your point that there are clearly a number of people who are affected. But I'm the person sat here in front of you now.

MK – correct.

PC – Saying that I have you know, a letter here.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – Do you want me to have a look at it?

PC – It depends, what I would want from today, is, for you know, you said you can consider it and you said that you can ask the Monitoring Officer but you believe she would be of the opinion that she would like this concluding.

MK – That is my understanding, but I will ask her.

PC – Are you able to ask that question now?

MK – No, I wouldn't know how to get hold of her.

PC – And this is the problem with the whole process because she would not speak to me. And this needs capturing in the recording that the Monitoring Officer, Ardip Kaur, despite numerous attempts, to speak to her by telephone will not speak to me. I would gladly have asked her that very same question because my understanding is that she has given you autonomy to conduct this investigation and you have the autonomy to make those decisions, and that would be my view.

MK - She has asked me to complete the.....

PC – I don't think I can continue, I'm sorry. Can we adjourn or can we

MK – Of course, we can do whatever you want Paul. Do you want to adjourn? Do you want to go and have a walk round or something? Go to the car park or some such?

PC got up and began to pack his bag

PC – This isn't just today, I can assure you. This is what my life has been like since the Mega Bus thing.

PC paused to collect himself together

PC – I just need some time

MK – That's fine, do what you need to do

PC – This isn't pleasant.

MK – It isn't pleasant for us Paul.

PC made his way to the meeting room door with his mobile phone

PC – There's nothing left on [meaning the recording device]

MK – Ours will be left on

PC left the room fifteen minutes after the start of the meeting and returned five minutes later and apologised.

KP – Are you OK?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Yes, I'm sorry.

MK – Do you want a cup of tea or something?

PC – No, no, I'm fine thanks. Am I OK to talk now?

MK – Yes, we haven't switched our recorders off. You're recording again, yes?

PC – Yes. I'm content to carry on with the interview but I can't give you any, clearly, any guarantee that at any point, I may need some time or indeed to conclude at anytime.

KP – Yes, that's absolutely fine.

MK – You're here, as it were of your own free will. We can't make you talk to us and nor would we wish to.

PC reached for a letter

MK – If you're happy for me to look at that, I can reflect what the document you wanted me to look at, rather than the document you didn't want me to look at. I can add that into the report.

PC – I think if I'm to continue and should it go to Standards Committee then I think that is the point where, I mean you can reflect that in your report that we've had this conversation.

MK – What is the document Paul? What is it?

PC – Well there's two documents actually.

MK – If there's one that's private, I don't want it.

PC – This is a letter from my doctor, Dr O'Hara at Willington surgery, following an appointment with him last week we discussed my, erm, where I'm at mentally.

MK – Yes.

PC – I've had some issues over recent months and this is just basically summarises that and says "*I would be grateful if you would recognise my mental state and if you would take that into account*", so, for the process moving forward, I thinkno, actually if you'd like to read it?

PC handed the letter to MK

PC – I don't want the content of this, the specific content in the letter capturing in the report, so if you are happy to say that you have read a letter from my GP, then.....

MK reads the letter

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – For the record, can I read that final paragraph?

PC reviews the final paragraph

MK – From the bit where it starts “He tells me.....”

PC – Yes, that’s fine.

MK – The letter refers to Mr Cullens’ state of health and then says “He’s unable to meet up with me. He tells me he has given this person thirteen possible dates for this person to meet with him but none of these have been taken up for whatever reason. Paul, at the moment, given the circumstances and very recent events doesn’t feel able to attend a meeting with this gentleman in the immediate future. Is this directed to me? Am I the sir or madam?”

PC – Yes, I think it’s to whomever it may concern.

MK – “I would be grateful if this would be acknowledged and taken into account” I mean, bearing that in mind, Paul, to repeat, if you don’t want to talk to us, I don’t want to talk to you, if you know what I mean. I don’t want you to feel that we are putting you under pressure to talk. As I sit today, I have to write a report. I’m very happy to say to Ardip that you have been to see your doctor, or whatever but it’s my view without knowing and asking her that she will ask me to conclude this in some way. That’s what I think she will ask me to do but I don’t know for sure but I will undertake to ask her. I will do that tomorrow.

PC – You’re clearly in the field of investigating Code of Conduct complaints, so I suspect that’s why you’ve been appointed to do this. I just feel that if I’m not involved in the investigation process, how can I put my side across against what I believe are vexatious allegations? I think your email to me the other day, that some of the complaints you were not going to investigate and some of them you were.

MK – Yes, and the report will say that.

PC – How can I influence and that’s what I’m here to do today, to influence your final report, if I’m not involved in the process? I think Melvin, that I’m content to carry on today. And I know that, no, it matters not.....

MK – No, please carry on.

PC – The only way I can make this stop because you know that if it’s not you it will be someone else sat here in the future and the only way I can make this go away is by resigning as a Parish Councillor. The unfortunate thing is, I don’t think the allegations will stop, they will just become police allegations of which I’ve had complaints made against me recently and of which I’ve had to make because I’ve been physically assaulted and verbally assaulted. So, the only way I can make this stop is being here

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

today and defending myself of which I don't think I'm going to give you a full, true representation, because I'm not in the right place, or by resigning. That is the only outcome that these people want. OK, that would be my view.

MK – Right, so just to be clear because I'm about to ask you some questions, are you content to carry on?

PC – Yes, I am.

MK – You feel in the right place at the moment?

PC – Here and now, I'm content to carry on. Can I just ask one more question?

MK – Yes, of course.

PC – You clearly have a script you're going to read from.

MK – Well, there's a lot to get through and it's not so much a script as some prompts because there's a lot of stuff to get through.

PC – Am I at liberty at any point to ask questions of my own?

MK – Yes, of course, but bear in mind, I'm here to investigate the complaints.

PC – I understand.

MK - I'm aware for example of a lot of, what you might call, a lot of prior background. I mean, I've read the Liverpool Echo and the Derby Telegraph. You and I could probably sit here until the end of the day talking about all of that, but my job is, "there's a complaint, investigate it" Does that make sense?

PC – I absolutely get that, and I do investigations at work. I understand that you are very focussed on, "Has this Councillor breached the Code of Conduct?"

MK – Yes, there's a Code of Conduct, there's me, there's you, and there's what other people say and that's how it works. As I've tried to say in my email to you, we enter into an investigation, because Karen often does them with me, agnostic. We see all sorts of stuff. We are agnostic. You learn a lot about people and so we are agnostic as to, as it were the rights and wrongs. What we do is, we get evidence from various sources, balance that evidence and then write a report. It then goes to Monitoring Officer and the Monitoring Officer is actually at liberty to do what he or she wants with my recommendations. She might read them and say, "I don't agree with them" she might read them and say "I agree with them but I'd rather settle this without a Standards Hearing". The report is for the Monitoring Officer. Until it goes to a hearing, if it goes to a hearing, it's for the Monitoring Officer to take into account. Does that make Sense? I write a report for her.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – In this particular instance, the Monitoring Officer has commissioned you to do her investigation because in normal circumstances, generally and in other complaints made at Willington Parish Council. Ardip Kaur has been the investigator. Ardip Kaur, or her team.

MK – Yes

PC – You’re clearly a third party.

MK – Yes.

PC – So, of the complaints that have been made. Willington Parish Council is broken, there’s no two ways about that. Am I a part of that? Yes, absolutely. There are eleven who have broken it and we’re all part of it. But she’s never commissioned a third party to investigate any other member. Now, she won’t speak to me, so I don’t know why that is. One part of me finds that actually quite refreshing actually that you’re looking at it, that you have no prior well clearly you do because you’ve done some background work but I expect prior to receiving that call you’d have had no knowledge of what’s going on at Willington Parish Council. I suspect now you know that it’s broken but that just seems very strange to me that I, and my dad, are singled out for special treatment because, I think I would be struggling to say that there isn’t one of the eleven Councillors that hasn’t had complaints lodged against them since June but all the others have been investigated in house except for myself.

MK – I would have to be most circumspect about what I say at the moment but you will have seen the process as written. It’s on the website.

PC – No, I haven’t seen that.

MK – OK, Willington aside for a moment because I’m not now talking about Willington. It is quite common for a Monitoring Officer to read and decide for whatever reason, it doesn’t go any further but because I don’t know about any of the complaints you are talking about and I haven’t been asked to investigate them, I can’t and it would be wrong of me to comment.

PC – I don’t want to draw you on anything, honestly, I’m not trying to.....

MK – We don’t work for her. In the sense that I don’t know what instructions they’ve got there but we do not work for her.

PC – I just think it’s important in terms of the audio transcript that I find it odd. I would like to ask how many times the Monitoring Officer has asked for a third party to carry out an investigation because I believe I’ve been singled out for special treatment. Whether that’s a positive or negative it matters not.

MK - I don’t know.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Can I just ask a question about the procedure?

MK – Yes

PC – In the procedure, in the email you sent me the other day about today's meeting, about the process

MK – When's it dated Paul?

PC – Email is dated on the 6th March. The email is from you to me and dated the 6th March.

MK – Which bit?

PC – The bit I refer to, is it's the section relating to LAC/80, 79 and 76 in which I'm not going to read it verbatim but which you say that because of the general nature of the allegations, lapse of time and probable cost suggests that at this stage the complaints should not be investigated but should lie on file.

MK – Yes and that's what my report will say.

PC – But there is no facility for that in the complaint's procedure.

MK – For what?

PC – It says that there's only two possible outcomes in the complaints procedure which is, recommendation for hearing.....no. My concern would be, it's kind of like if you receive a criminal, you know, it's like if you commit a misdemeanour while under a suspended sentence then you will be charged again for something else, for the same offence.

MK – No, I think that's a fair point and perhaps "lie on file" is the wrong phrase. I have been asked to look at those complaints and it might well be possible to investigate them, but we are talking about events nine months ago, or about nine months ago. When we spoke to individuals concerned, about those complaints there was a lack of specific evidence. Certainly not, and you were there [Karen], certainly not enough for us to be able to say that the Code had been breached, and that's what my report will say.

PC – So that's allegations will be dropped, no case to answer. I mean, I get letters from Ardip, I get allegations after every meeting. The last meeting was surrounding me filming again and she's now put, "no case to answer" the complaint before that was "not in the public interest" but this is very specific. You see what I'm saying? Because the procedure says you're either guilty or you're not.

MK – I think that's rather careless on my part. As far as I'm concerned, the investigation, it would have been possible to go into it in all sorts of detail but we're

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

nine months on and in my opinion it would not be in the public interest to proceed with those and that's what my report will say as far as those are concerned.

PC – Just one more. So, paragraph underneath that, it says there are two further complaints which is LAC/77,76. Seventy-six is also referred to above about the alleged bullying and intimidatory behaviour in respect of the "Mega Bus" events. It's this next sentence which concerns me, or I have concerns about. "I will not be investigating those further" that bit doesn't concern me, that fills me with joy. *"I will not be investigating those further because my understanding that the Chief Executive and the Monitoring Officer have deemed the matter to be private"*.

MK – That is my understanding.

PC – So, I mean, I spoke to Frank McArdle [the Chief Executive] on several occasions about the complaints and Frank McArdle, I have the dates of the telephone calls with him, is very clear to me that the Monitoring Officer is a Statutory role and he could not get involved in any way, shape or form because in the event there was a complaint made about him and his position, as Chief Executive, the Monitoring Officer would be the person investigating that complaint. But this here, actually says that the Chief Executive has.....

MK – Well, you've got to bear in mind that's my understanding, I don't know if he's been involved.

PC – Yes, but, do you understand? You probably think I've been through this with a fine tooth comb, all I'm saying is.....

MK – I think the situation is that knowing what we know about these policies, when somebody behaves in a particular way, they have to be, what's called, "in capacity" and I think you understand that.

PC – Yes, give an impression or acting as in a Councillor role.

MK – To give an example, if you were to sit in the bar of this hotel downstairs, or if I were a Councillor and were to sit in the bar downstairs and say something derogatory about another Councillor, it's tough my really, unless I'm in capacity. Now as far as my reading of that situation is concerned, I'm assuming that the decision was made that those involved were not acting in capacity but that is my assumption. In any event Paul, the Councillor concerned resigned. It's at that point that the Monitoring Officers responsibility for that event, there is nothing that he or she can do about it at that point if the Councillor resigns. I'm not commenting on the rights and wrongs of that, I haven't been asked to investigate that but if the Councillor resigns, the accusation dies as it were because the Monitoring Officers jurisdiction extends only to Councillors acting in capacity. Does that make sense?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Absolutely.

MK – Now when I said about the Chief Executive, I don't know what, if any role the Chief Executive had but I have been told that Ardip Kaur said that it's a private matter and even if it wasn't a private matter at the time and the Councillor resigns, that's the end of it.

PC – If I tendered my resignation today.

MK – Yes.

PC – Everything stops

MK – I believe so. I mean you've said it yourself.

PC – I knew that before the full process started formally, that the only way to make this go away is to resign.

MK – You did. Who told you that?

PC – That was my assumption because I knew that when the Councillor who had made the comments in the email to me about being a scumbag and a drug dealer, when he resigned I was aware that it was the end of it.

MK – The policy that we were looking at a few minutes ago, is about Councillors.

PC – The Members Code of Conduct.

MK – Yes, and if you're not a member..... clearly if in any given situation, the police get involved then that has nothing at all to do with the Monitoring Officer.

PC – Yes, and I do have a question about that as well.

MK – You're probably asking the wrong person then. The jurisdiction of the Monitoring Officer is Councillors in capacity. Councillors can say and do the most hateful things, but if they are not in capacity, then as far as the Monitoring Officer is concerned, that's the end of the matter. If a Councillor somewhere in the county beat another councillor up, say, that would a police matter wouldn't it? If they were in a Council meeting, they would clearly have breached the Code of Conduct but equally it would be a police matter but if you read that Code of Conduct it's very clear. I'm reading from the Members' Code of Conduct adopted on the 28th June, effective from 21st July 2012. It says at the very beginning what I've just said to you Paul *"Under the Localism Act 2011 the Council must promote and maintain high standards of conduct by its Members and adopt a Code of Conduct. This Code applies to you as a Member of South Derbyshire District Council [Willington will have adopted that] you should read this Code together with the general principles at page 2"* which are the Nolan Principles. It's then got various definable terms and then it says *"Scope: You must*

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

comply with this code whenever you act in your official capacity as a Member of the Authority” Then it tries to define what that means and then it gives you various obligations, we don’t need to go into them but they are obligations, goes into disclosable pecuniary interests and other interests. There’s more about it in that respect than conduct more generally. But it says, *“You must comply with this Code whenever you are in your official capacity as a Member of your Authority.”* So, if you are not in capacity, then the Code has no jurisdiction. Very often, the debate centres around whether you are in capacity.

PC picked up his mobile ‘phone

PC – I’m just trying to get onto Willington Parish Council website. The Willington Parish Council Code of Conduct is basically a précis of that.

MK – Yes, they will have adopted it at some point.

PC – Sorry, I can’t get onto it, I did ask for the Wi-Fi

MK – Well it’s not great here.

PC – I guess it’s best you start asking me some questions.

MK – Just before we start, you said the Council’s broken. Are you, would you be willing to work with all the other Councillors to try to get back from where you are today? There are means, there are people who will work with you to try to, when I say you, I mean the entire Council to bring it back into shape.

PC - I’ve asked these questions, I received a ‘phone call from the other Statutory role, I think his name is Kevin, I can’t recall his surname. I asked what interventions South Derbyshire could make. I’m not answering the question here, am I? There are several Councillors that have said and done some God-awful things against me and my family in recent months, whilst they’ve not been acting in capacity, so as you know Ardip Kaur will never have received these. So, to answer your question, I would have to forgive them for that to enable me to go forward and for me to forgive them for that, we would have to have a very open and honest discussion before that. Providing that happened and I received apologies. I don’t just mean a pat on the back and saying “I’m really sorry for everything I’ve done” I mean specifically for going to my employer and for me being hauled in front of the Chief Fire Officer because of a complaint that was made about my conduct at a Parish Council Meeting. That’s how low these people have gone. So, in answer to your question, yes, I would but I don’t think it could be, let’s all go into a room tomorrow and thrash this out. There would have to be some leg work done prior to that.

MK – Without speaking for them, I would imagine they’d say exactly the same thing.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – I would say that my concerns are based on fact. I haven't just wet my finger and stuck it in the air. I could give you the names of people, I can give you my Director.... You know they sent the link for my Chief Fire Officer to watch videos, of YouTube videos of erm.....

MK – Who did?

PC – Well, as many of the complaints have been, they requested anonymity. They gave a name, but they won't give me their names but just like these complaints, I can second guess who the complaints are from. I'll just pick that up again later if I can. But I haven't wet my finger and stuck it in the air. So, if they are to say that I've acted inappropriately, I mean, I've never been to anybody's work. I've made complaints about people and do you know, do you want me to be brutally honest with you? Some of those complaints have been borne out of anger and frustration.

MK – Your complaints?

PC – Some of the complaints that I've made have been borne out of anger and frustration. I know that I'm confident that I can sit in front of you today and reasoned balanced argument against the complaints that have been made against me. But when those complaints keep falling through your door, week on week, sometimes I get four complaints after a meeting and I know they're coming, that's the thing. I tell you now, no matter how resilient you are, it gets to you. So, the complaints that I've made, I'm not going to say they are vexatious or spurious they are complaints which perhaps in the normal world, I wouldn't have made. But because of the anger and frustration I feel, I feel that I have to do it. It's kind of, if this is the game you want to play..... I'm guessing that Ardip Kaur and Frank McArdle are absolutely like.... Do you know? Willington Parish Council, we've had enough of this. Do you know what I actually suggested at one meeting? All eleven Parish Councillors resign in fact I suggested that the only way Willington..... because it's the people of the village who are being cheated, not the eleven people who sit there every week. I said it after the meeting, I didn't put it forward as a motion. Nothing.

MK – sorry, what do you mean nothing?

PC – No response. No acknowledgement, certainly no let's pursue that, let's consider that. It's a war of attrition. They want to win because they want to win and equally, I want to prove my innocence because I believe I am. None of these complaints are because they genuinely believe I said or did something, because I went over there and sat as a member of the public. It's not about that. It's about because they want to win. I guarantee. We have a meeting on Tuesday evening I put forward at least five items for the agenda. None of them have gone through. Not one. In fact, if you look on "Spotted Willington" this week you'll probably see lots of comments about it. And you know Deb Townsend? She's supposed to be a gold star qualified Clerk who's being

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

remunerated very, very well for the locum role that she does and I've no doubt that she can perform to that standard in the right environment. I'll come onto Deb Townsend in a minute. She's now been taken back on because the previous Clerk wrote a letter of resignation about things she couldn't possibly know about. She resigned after one meeting. Deb Townsend has come back, I'm not looking forward to it. Deb Townsend, in my view, I'm sure Deb Townsend will give you a different view. She is acting in a professional capacity, she clearly allows other people to do what she won't allow me to do and I'll pick that up in a couple of the complaints. I think it's important for me to know, I understand that you can't tell me and I don't understand why you can't tell me because the procedure says that members who have had complaints made against them, should know who has made complaints against them and what the complaint is and only in exceptional circumstances should their names be withheld and the exceptional circumstances relate to personal safety and the other is if I could influence things at Parish Council or services of. I don't have a police record, I'm not a danger to anyone, so my view would be, and I know that yourself and Ardip would disagree but I believe I should know. And do you know what? I think that once people start

MK – Just to be clear, it's not for me to judge. The complaint form allows for anonymity and therefore when it comes to me, it has a box ticked with a statement as to why the individual concerned wants anonymity.

PC – But that's all they are, tick boxes.

MK – From memory, without looking at it, they have to put a little paragraph in which says why and that gets passed to me.

PC – And you have no jurisdiction?

MK – No, it's not for me, we have to tread extremely carefully because of this. Believe me, it's far easier when one person complains about another and everybody knows who's complained. It's very hard for us. Try writing a report Paul when you've got complainant A and complainant B, complainant C. Try doing it for eight complaints.

PC – You see this is completely alien to me.

MK – So I would rather that people did that but it is right under the process because that's what the form says.

PC – It's also my right to know but we could go round and round but it's completely alien to me because the investigations I do with representative bodies, we give them everything, every single interview everything that has been conducted, any video. So that when this meeting takes place, nothing boo's them, I could be boo'd with lots of things today. When I say boo, you know what I mean. It just seems so not in the spirit

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

of open and transparency when you talk about the Nolan Principles. I understand that you're working within the constraints.

MK – We have to.

PC – If I've had complaints made against me in recent weeks, last week I got two which are, in my view, a far more serious nature than the original complaints made against me in June of last year which have been dismissed. No case to answer. Not in the public interest and I suspect that will be what will happen moving forward.

MK – Sorry?

PC – I suspect that when the complaints come in, they will have been scrutinised far more than they have been in the past.

MK – I don't know.

PC – And if Ardip Kaur actually applies the principles, you don't have the right to anonymity, you have the right to apply for anonymity and if she applies those principles and starts saying to people if you want to make a complaintsave for exceptional circumstances if someone is in serious danger, I get that completely but people have to be accountable and standing up to the complaints that they've made in the public domain and I suspect they'll think twice before they put pen to paper and send them. That's my observation.

MK – I don't know again, but you're into the realm there of the Monitoring Officer's domain as you and I have said in various email exchanges. I am not there to pass judgement on "the process" at Wellington because that's the process, is the Process. I am here with Karen, as I said there's a complaint, there's a Code of Conduct, has it been breached? That's it. We are agnostic. I can reflect such things as your health in there and I reflect other people's health in there. That's why I asked you the question as to whether you would be open to some kind of reconciliation. And you've said to me, "only if they apologise" and before you know it, we're facing off again aren't we? Everybody would have to buy into it. That could be a recommendation from the Monitoring Officer.

PC - We've already discussed it at Parish Council, through DALC. The groundwork was done, sessions were priced, group sessions and individual sessions and for me to move forward on that, there was one particular Councillor who has been, more recently

MK - probably it should go into the report because there have been several but this particular Councillor whose wife I believe, reported me to work. He's the one who..... am I OK to talk openly? Well it's abusive language, so basically there's no point in flowering it up in any other way to just say it as it is.

KP – Yes, that's fine.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – So, he actually stopped in the street and it was very unfortunate for him, that he said to someone who happens to be my best friend who has since become a Parish Councillor that “Paul Cullen is a wanker we will get this guy off the Parish Council” this is Ian Walters, “this is our sole objective” for John Phillips (who has since resigned) and Ian Walters. I’ve since found out why they want to do this, but he stops in the street and calls me a wanker to my friend who came straight round to my house and told me. Now in order to move forward, when we were talking about mediation, I think it’s important that me and Ian Walters sit in a room with a mediator first and actually sort our differences out which is what I proposed when we were at Parish Council. It’s all minuted, it’s all documented. They said no, it’s all eleven of us. I said, absolutely but before I get to that point, I need to understand why Ian thinks these things about me. Why he’s prepared to go around the village and say these things about me. Look at the Facebook posts, I’m not even on Facebook. I use my wife’s account, there’s no boundaries to what they say. So, for me, it was important to sit down with Ian, in this environment with a trained mediator and understand each other’s differences rather than have eleven people screaming at each other. He wouldn’t entertain it.

MK – Well, all I can say, that in general terms it’s far better if, in your words, a broken Council can sort themselves out because, not talking about Willington, talking about AN Other Council, over there, Standards complaints can go forward, things can be decided at a hearing but the problem doesn’t go away and if people are getting ill as a result of this, and you’re not alone, I think I can speak....

PC – Within Willington Parish Council?

MK – I’m talking now about Willington but more generally, if people are getting ill surely the right way forward is for you, collectively to settle your differences. That would be my hope. It maybe that Ardip does that but as I say, what I do is put forward a report and it’s up to Ardip what she does with it. It may be that she wants to hear the complaints to the end but equally, it might be that she tries to get mediation. I don’t know what will be in her mind. I know that mediation has been discussed in the past and that’s often a way forward, but the Council appears to be broken, in your words, at the moment. And if it’s broken then there has to be a way found to put it back together again.

PC – I can tell you now I’ve made my mind up with the way forward with this. One of my options was to resign because I knew that from what happened in the past, everything would just go with it. When actually, I want to clear my name because it’s my health, my wife’s health, the boys are old enough now to understand what’s going on. So, my way forward is to do both, which is to clear my name and then resign. I won’t be part of the Willington Parish Council moving forward. My only concern is that there’s six Parish Councillors, you will understand that there’s a very clear divide

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

at Willington Parish Council. You can call it the 6/5 or whatever you want to call it but if you've spoken to people you will know there is a very clear divide in the Council and no matter what we do, whether it's for the good of the village. I've missed a litter pick and path maintenance today from the Footpaths and Open Spaces Group that I was responsible for founding. This morning they are carrying out works in the village this morning and I've missed that to be here today. The very same Footpaths and Open Spaces Group that the gang of 6 closed. Shut it down, completely. We do not want your group. Why? Because it was successful. Because it was me. We're introducing Beavers now with Derbyshire Wildlife Trust. The Group was growing legs and it wasn't walking, it was running, and they didn't like. Do you know what the impact was on that was? The Parishioners of Willington, not us eleven sat in that room. It was at that point and when these lot [complaints] kept coming in every week, I decided I was going to do both because just to resign they would just say actually he's resigned because he's guilty. Well I'm not guilty, I know I'm not guilty, do that would be to do both. Now I can draft my letter of resignation, I've already got one letter of resignation here but that is specifically for the Footpaths Group because as long as I'm part of that Footpaths Group, the gang of 6 will vote against everything it tries to do, so for that Group to move forward, I can't be a part of that Group. So, I've already made that decision, so hopefully, when we get to the end of this process, that'll be me done, I can assure you. But unfortunately for me, the Code of Conduct complaints will cease but it will just be the wanker signs when I'm in the Coop in the village and when I'm walking the dogs and John Houghton is shouting across the field at me. In fact, he actually deviates. I walk one way and he decides to follow me, these are all police complaints, to start shouting across the field at me about me being a bully, a fucking bully. All reported to the police. Not being a Parish Councillor is not going to stop any of that, I get that bit but what it will stop is all this [Paul points to a pile of envelopes] it comes through the door and I get a text message from my wife. There's another one come, she reads it and WhatsApp's it to me, then she 'phones me, crying, there's another one and another one. So that would be me done. Please, carry on.

MK – Shall we?

PC – Yes

MK – You're in the right frame of mind, yes? I want to be clear that you are.

PC – Yes, it's important I ask these questions first because some of them are based on procedure and I know you can't tell me this, but if any of the complaints are made, or maybe you can tell me, I don't know, from the Parish Clerk, then I'll say are they from the Parish Clerk and you'll say I can't tell you.

MK – I can't.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – So then I'd say, if any of them are, then I won't be answering any questions about them because the Parish Clerk, by her own Standing Orders should have informed the Parish Council that she has made complaints and somebody else should have been put in place that's according to our Standing Orders. I can show you that now if you need it for the record and the other thing is, I have been asking for about six months for an agenda item which is legal protection for Parish Councillors. I've got all the emails where I've been asking for that to be included as an agenda item and she's refused. Now, she's refused and yet in our Standing Orders I think it's 41c but I've got it all written down here, it says that "*The Parish Council, can support the legal costs of any Councillor who has had a Code of Conduct complaint made against him, provided it is ratified at full Council*". So, if she has made a complaint.....

MK – I don't know Paul and it's not for me to comment.

PC – Well I suppose what I'm saying is, the legal advice that I've been given; I'm a member of the Fire Brigade's Union and the legal advice I get is through that union which is very limited legal advice but it gives you direction. Anything beyond that, you then have to pay, and it becomes very expensive. Now, if she's made a complaint about me, let's not say she. If a Clerk has made a complaint about me and denied me the opportunity to seek legal costs as an agenda item at a full Parish Council Meeting, I would question the legality of that. I don't suppose you can help me with that.

MK – I can't, it's beyond my understanding.

PC – Other than to say, if any of the complaints are from Deb Townsend and I don't want you to take this personally but if any of the complaints are from a Parish Clerk, whether it be from Rebecca House, Sabrina Doherty or Deb Townsend as the locum Clerk then I would need to know, or you would need not to ask me any questions surrounding complaints that they've made because they have denied me the opportunity for professional, legal advice.

MK – You're moving beyond my comprehension here of the details of your Standing Orders, I can't comment and I can't talk about who has and who has not made complaints except in that one instance where if you're writing emails to an individual, it's pretty obvious that that individual is involved. I cannot comment on the who, I just can't because I would be breaching confidentiality.

PC – OK if that were the case and clearly, I understand why you can't, well I don't understand why you can't but Ardip Kaur can, but you can't.

MK – All I can say is if you've got questions about the process or the legalities of the individual things, then.....

PC – I've asked her. I've asked her. I don't even get the courtesy of a response to an email and it's not as if I'm emailing her every day.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – Well, we are back to, I've got some complaints and I need to go through them with you.

PC – OK so, for the purpose of records and I'm mindful of time for the purpose of whatever is recorded today is that, I suppose that whether it's regardless of whether the complaint has come from the Parish Clerk, I've been denied the opportunity to have a single line agenda item and I have got them here, the items that I have requested and she flatly refuses, because she can because Clerks can deny any agenda items that they choose and Deb Townsend, the Locum Clerk has denied me the opportunity to bring it to full Council to seek financial assistance for legal costs to defend allegations that I'm now facing.

MK – Sorry, I just can't.....

PC – I know, I just wanted it for the record.

MK – Well, all I can say is that it will end up in the transcript.

PC – Yes, all right.

MK – Shall we carry on? Have you got a hard stop? Do you have to be away? I certainly don't.

PC – What I'd like to do is be here as long as it takes for you to fully understand everything you need to rather than revisit it again in the future.

MK – Well I've got a hard stop at 1.30pm and that really would be beyond the longest interview that Karen and I have ever done.

PC – Yes, I get your point. I guess that eight complaints is probably the most you have ever had to investigate as well.

MK – Tell us very quickly Paul about yourself, how long you've lived in Willington. I know you're a Fire Officer. When did you join the Parish Council, what Committees are you on? That kind of thing.

PC – I'm 52 years old, originally from Liverpool, I've lived in Willington all of my adult life, apart from a short spell in Repton. Married to Jackie, two children and up until recently, two dogs. I was co-opted onto the Parish Council prior to the 2015 election, so I was co-opted on prior to 2015 and I stood for election at the 2015 election and was voted on. Likewise, in the 2019 election. I have sat on various committees over those years including Staffing, Recreation and Amenities, Car Parks, Advisory Groups, Footpaths and Open Spaces Group. As I sit here today, I'm only on Footpaths and Open Spaces Group. I think there are three Committees, Burials, Footpaths and Recreational and I sit on Footpaths and oh, Staffing.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK - Shall we talk first of all about LAC/107 which is filing at the Parish Council Meeting. Do you recall the incident?

PC – I am aware of the incident, yes. I'm just trying to find the complaint.

MK – 107 this is. Has Ardip written to you about 107?

PC – Yes, I received this on the 26th November. It doesn't mention filming in the original complaint and this is generically an issue that I have because clearly the complainants have requested anonymity but also the content of the allegation has been limited in pretty much all of the allegations, so this one specifically says "*You behaved in an intimidatory and aggressive manner during and after the meeting of Willington Parish Council*".

MK – Yes, this was about filming at the meeting and I've listened to the audio, or the relevant parts of the audio of that meeting and there's a fairly long discussion about filming. The allegation that it was intimidatory because it was directed at a single individual. There are other complaints about filming, and I know that filming has been a bone of contention for some time at Willington, but I haven't been asked to investigate those. I don't know their status, but I've not been asked to investigate them. Rather than not asked to, I've not been asked to investigate them.

PC – OK, do you just want me to talk about them?

MK – Yes. It seems to me, listening to the audio, that such filming took place.

PC produced a Go-Pro filming device.

PC – It's not turned on by the way.

MK – We were told by witnesses. If you tell me that's the camera Paul, I accept that. I didn't know what one of these things was until Karen told me. You kept moving it to get an individual in shot. So, over to you.

PC – So, you're quite right, there have been subsequent complaints about filming which have been dismissed by Ardip Kaur. The complaint was dismissed on 31st January, so a complaint around filming has been dismissed.

MK – On what grounds?

PC – Dismissed as it wasn't in the Public interest.

MK – I guess that what is being said there is that there is complaint, we investigate that complaint.

PC – On this particular one?

MK – Yes, so there's no point investigating 27 other complaints or whatever.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Yes, I understand that. I guess that this one specifically, suggests that I deliberately tried to intimidate somebody. As opposed to just generally filming.

MK – Yes, correct.

PC – Which is complete nonsense. The purpose of me starting to film was absolutely for my own protection to protect me against..... these are all complaints, so you've only eight, nine, ten? I've got a lot more. So the purpose of me filming was to, not so much protect myself, but so I've got a video, documentary of what actually happened so that in the event that a complaint came in then I can say, well actually, this is what happened. In this particular instance, I've made some notes here and I don't want to read verbatim but at the meeting had started and I'd been filming for approximately one hour and twenty three minutes, so after one hour and twenty three minutes, Claire Carter then decided that...Claire Carter, for whatever reason has a dislike for me. So, I've been filming for one hour and twenty-three minutes and I think it's important that I show you. [Paul explained where everyone was sitting] I'd been filming for one hour and twenty three minutes and during that time nobody in the room said anything and I didn't tell people I was filming and that's not because I wanted to hide anything from people, it's just because you don't have to. The legislation says that I don't have to. Other people had been filming, other people had been audio recording, I don't think anyone had been videoing at that point. But for one hour and twenty three minutes I'd been filming and throughout that time I'd altered the camera on several occasions and then ultimately, so, actually, pretty much this side of the room was the six Councillors who appear to have an issue with me. So clearly, if I wanted to intimidate them, I would have sat at the other side of the room and pointed the camera at them. So, it was never my intention to intimidate anybody, it was merely my intention to capture the meeting, the discussion, the decisions that were made so that I've got it documented and what happened. So, what Claire Carter was doing, she sat here [Paul motioned to a space near him] and when I speak she pulls faces, if I make a comment on something, it will be [Paul rolled his eyes] this kind of gesture and specifically at this meeting, every time I spoke [Paul tapped his pen loudly on the table] she did that. She was tapping her pen on the table. This was actually captured in the minutes of the meeting. So that was it, she said to the Chair that she'd like the meeting paused, he asked me to stop initially. I declined to stop. In the end he said he wanted me to move it and I was very clear and I have been clear to all of them, all the Councillors including Claire Carter because actually after that meeting there was a few of them who decided they didn't want me to film at meetings, that I was doing anything that I wasn't legally allowed to do then I would stop. I was very clear about that. Then because they realised, subjective, my view, they realised then that actually filming was something that was a perfectly legitimate activity to carry out, they then decided to, and I'm talking beyond the complaint now. Am I OK

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

to do that? Because the complaint is only specifically about that meeting on that day but after that meeting on that day, Claire Carter I'm guessing sent her apologies, but she certainly wasn't at that meeting. They then decided that, yes they were content for me to film because I was legally allowed to do so and if you listen to the audio of that meeting, you will hear Deb Townsend saying that he's absolutely allowed to do so. They then decided they would only allow me to do it if it was in a position where it took on the whole of the Council and I challenged that and asked them "Where did it say that?" I told them about openness and transparency of Local Government, I'm not sure if it's called that.

MK – The Openness of Local Government Regulations 2014 and then there's a piece of legislation that predates it which is the Public Bodies Admission to Meetings Act 1960 and then there is this piece of legislation which is the Openness of Local Government Bodies 2014.

PC – I've got all of them. The actual document that I referred them to was the Plain English document which comes from that. It's the Openness and Accountability of Local Government which comes from the 2014 Act. This is the document I referred them to and it supports me filming. It talks about Councillors actually being allowed to. I suppose a lot of what I would say is down to, I don't believe there is anywhere where it says that I can't film. Another thing I was trying to point out to them that this [Paul points to his Go-Pro] has got a fisheye and I actually said at one meeting as miraculously a police officer arrived at one meeting, you've probably seen that on YouTube. I was trying to explain to them that it has a fisheye lens on it and probably, at this angle now, Karen is probably in shot and I tried to explain that to them and they said that they wanted it down there [Paul pointed to the end of the table] and I told them that they were probably all in shot now anyway, in fact I looked down it and said they were in shot now. It wasn't about the camera now; it was about me.

MK – There's a presumption under that Act that you are allowed to film the proceedings of the meeting. End of. There is a presumption that Councillors agree to be filmed but what we're being told and what we've been told by several witnesses that camera was pointed specifically at that individual and that you moved it several times. She moved and you moved it.

PC – No. It's very unfortunate that the very purpose of me taking the camera to that meeting was to prevent this allegation but the unfortunate thing is I borrowed this camera and whilst I was playing about with it and you can look at the memory now, I've deleted everything.

MK – So haven't got a copy of that film.

PC – I haven't got a copy of it.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – Well I was going to ask you that.

PC – And I would gladly have given it to you. What I can say is, and I did point this out at that meeting and several other meetings is that I didn't, categorically. I'm guessing that the best witnesses I could offer you would be independent so my fellow Councillors who offer me support through all of this are probably not the best ones in terms of being independent because I've spoken about the 6/5 divide but there is a member of the public who was at that meeting and you actually hear her on the audio speak out and in fact, I actually gave the camera to her.

MK – Who's that?

PC – Her name is, Angela Budworth. I haven't asked her, but I will ask her if she's happy to be interviewed as part of this process. What I would say is about that presumption about being filmed, not being filmed, in a public meeting, nobody has the right etc., for Claire Carter to say she was intimidated, and I know it was Claire Carter it was clearly Claire Carter as she was sat next to me.

MK – It doesn't mean that Claire made the complaint. That's all I'm saying.

PC – Well Claire Carter was sat next to me and at that meeting and the following meeting because this went on for several meetings. At that meeting and subsequent meetings, I tried to explain that I'm not doing anything that the law doesn't allow me to do but I can't control whether you feel intimidated or not.

MK – But the allegation is that the camera was pointed at Claire, Claire moves over there it's pointed at Claire, Claire moved behind somebody else, it's moved to be pointed at Claire, now that's the allegation. What's your response?

PC – Absolutely not. I absolutely recall moving the camera twice. I had it diagonally across the room to start with, the topic of conversation appeared to be mainly from down this side, so I moved it to there. It's more on me. John Houghton, Ian Walters and Mark Bartram are down this side. Claire made an issue surrounding being filmed but she never said anything about being intimidated. Not once. If you've listened to it. The only person who mentions feeling intimidated is Deb Townsend. Claire Carter never mentioned it.

MK – What also puzzled me Paul because as I said, I listened to the audio of it, is why, going back to what you said at the beginning that you wanted to film the, my word, the proceedings of the meeting, why you didn't very quickly give it to a member of the public who could get the full span of the meeting because it took quite some time to do that.

PC – Yes, and at subsequent meetings I've refused to do that.

MK – Why?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Because the issue isn't we need to look at the bigger picture, not just the filming. The issue isn't surrounding Paul Cullen filming a meeting. The issue is surrounding, let's if it's the camera this week, it would be something else next week. It wasn't about the camera; it wasn't about me giving the camera to the lady in the audience. It was about getting me, Paul Cullen to stop doing something and then they would have perceived that to be a tick. So in subsequent meetings, I chose not to when that offer was extended to me again to put it at the end of the table or give it to someone in the audience and I flatly refused and Phil Allsopp closed the meeting down. He said, "Well if that's the case I'm stopping" this was actually at the meeting that the police officer was at and the police officer and the Clerk, everyone in the room was saying we were allowed to do it. Now, I haven't done this deliberately but if I chose to put it on Claire Carter, if I chose to put it on Claire Carter and follow her around, yes, that would probably constitute me trying to intimidate her but it still doesn't prevent me from actually doing that.

MK – Just a couple of points, whilst I'm not investigating a particular complaint where in one meeting there were three cameras on your table. In that particular instance that would imply not that we are dealing with a desire to film the proceedings but we're actually doing something rather more than that. And I say "we" in the broadest sense. Whilst I'm not investigating that complaint, I can certainly take that evidence into account because, that I do not understand. If it is not designed or intended to alarm people. I can't understand why when some it it's alleged that there's a camera here, here and here, I can't understand why that would be done and I can't understand that why when some of the individuals concerned left the meeting and the Chairing of the meeting was passed to another individual why the filming stopped at that point.

PC – No, the filming didn't stop, the filming didn't stop at all, filming carried on.

MK – But there were three cameras, so why if you were filming proceedings would you need three cameras?

PC – I take one camera and my 'phone. Sometimes a Dictaphone if my memory is full, so that's what I take to the meeting. If you want to know why other people have taken cameras you will have to ask them. I can give you my best guess, but it would probably better for you to ask them that question. But what I can't tell you for sure is that filming at Parish Council meetings from my perspective, we spoke about it a number of years ago, about actually the Parish Council filming their own meetings and then putting them on social media for people who can't attend. That's not what I do it for, I do it for my own protection and I suspect that if other Councillors are taking cameras, they are doing the same. I suspect.

MK – So, hypothetically if at the beginning at every meeting a camera was put there to capture the proceedings of the meeting, would you still film?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – I suspect I probably would. I can give you a couple of reasons why. Just go back to the Claire Carter incident. I absolutely, unequivocally deny. First of all, I'm allowed to film, that was the issue.

MK – You were allowed to film the proceedings, yes.

PC – They were very clear that they wanted me to stop. Very clear. Phil Allsopp at the Extraordinary Meeting thereafter warned me, and they were his words, not mine, "If you point the camera at me, I will stop the meeting". Which I didn't. he said, "I'm warning you, if you point that camera at me, I will stop the meeting". I had no intention of pointing the camera at anybody. If I chose to, I didn't, but if I chose to, some people would say I did it deliberately to intimidate them.

MK - That's what they are saying.

PC – Well I can tell you now that Phil Allsopp sat at the Extraordinary Meeting last Tuesday after having the police knock on my door a few days before because of an allegation he's made against me, sat at the head of the table winking at me, so if that camera, up there captures Phil Allsopp then yes, I don't think I will have any need for that. I'd like to know who's in control of the footage thereafter. This camera, if I put it there, I know that if he starts and I know he's doing it deliberately because he wants me to react. So, he's winking at me [Paul demonstrates] and I actually said, "What are you winking at me for? It's ridiculous. But funnily enough the item we were discussing it was a single agenda item at an Extraordinary meeting, it was a single agenda item which was to discuss appointing a new Clerk which was an exempt item. So clearly, anything that's exempt, you can't audio or video record, so I didn't have a camera, so he seized the opportunity because I didn't have a camera I suspect, to try and intimidate me. What am I to do? I could easily submit a complaint about that, but I suspect it would not be investigated it would be a waste of Ardip's time, a waste of my time and probably a waste of his time. In answer to your question, providing that single camera up there was pointing at everybody and we all had access to the footage thereafter, then I would have no need to take that.

MK – OK, so just for clarity then, are you saying you did not move that camera as it were, to follow Claire's movements around the room?

PC – Absolutely, unequivocally. I absolutely did not. For one hour and twenty-three minutes, that camera was there. I've actually got the entire audio recording if the meeting there. And after one hour and twenty-three minutes Claire Carter said to Phillip Allsopp, "Excuse me, can we pause please? Is it filming?" When it's filming there's a red light flashing on it. And after one hour and twenty three minutes and actually, when I looked at the footage, she'd looked at the camera, every Councillor in the room knew that it was filming, the audience knew it was filming and I could tell you why, I believe, when I was speaking and again I've got it on the audio recording

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

and it's in the minutes of the meeting.....another thing that they do, the minutes are not a true reflection. The minutes are pretty much what six Councillors want in there. When you have eleven Councillors, the six are always going to have the majority vote and even if it's five, the Chair gets the casting vote. Prior to Claire Carter saying to Phillip Allsopp to pause the meeting, she never once said that she felt intimidated. Every time I spoke, she was tapping the table like this [Paul tapped his pen loudly on the table] and I stopped, and I looked at her and she stopped. When I started to speak, she started tapping the table again and Caroline Blanksby said "Claire, can you stop tapping the table please?" A few minutes after that, Claire Carter then decides she has a massive issue with a camera that has been there for one hour and twenty-three minutes. In answer to your question, if I want to protect myself and my conduct then really, I should have the camera pointing at me.

MK – How are you protecting yourself Paul?

PC – From these vexatious allegations. You can read the minutes. The minutes of the 19th December are quite interesting because that's the meeting where two other Councillors took video recording devices in.

MK – I think there was a complaint about that too.

PC – Yes, I think there was.

MK – But we haven't been asked to investigate that.

PC – My point is, to answer your question about how I'm protecting me because if you read those minutes of the 19th December. Phillip Allsopp reads a Chairman's Announcement which isn't on the agenda. His exact words were "Right, let's kick off then I want to start by reading this Announcement", so I pointed out to him, as a point of order that there is no Chairman's Announcement on the agenda. We can only talk about what's on the agenda. Even public participants can only make comment on items on the agenda. I pointed that out to him, and he said, "I'm going to read it out anyway". He then went on to read his Chairman's Announcement. I've got a copy of it in which he said it was all about filming. He finished his announcement and he said "Right, are you filming?" to me. I said "Yes" he said, "Can you move your camera to the far end of the room?" I said, "For what purpose?" He said, "So it captures the whole of the meeting." I said "I get that but why? The Accountability Legislation allows me to Tweet and Vlog or Blog, I don't do it, but the Legislation allows me to do it should I choose to do so by putting all my video recording devices at the end of the table doesn't allow me to do it." So, he's trying to impinge on what I'm legally and lawfully allowed to do. Not because he doesn't want the meeting filmed but he wants to score a point against me, that's all it is. So, the point is, if you read those minutes of the 19th December, they are not a true reflection of what happened. And I know they are not a true reflection of what happened because when I call a Point of Order,

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

Deb Townsend says, “The meeting hasn’t started yet.” And Phillip Allsopp said, “The meeting hasn’t started yet.” I said, “That’s strange, you’ve just read a Chairman’s Announcement out, so if the meeting hasn’t started yet.....” He then, puts forward a vote to have me ejected, “ejected” that was his word. “I propose to have Paul Cullen ejected from the meeting” which six Councillors voted in favour of and five voted against. I’m getting into the realms of another complaint here aren’t I? So, my point is, in answer to your question why do I need protection? It’s exactly that because I can’t control what goes into the minutes of the meeting. I can offer a different option, which I did for that particular meeting and it was voted against.

MK – But you don’t need a camera for that, do you? You just need audio for that.

PC – I need a camera for Phillip Allsopp winking at me and gesturing I’m a wanker. I need a camera for that.

MK – So you’re saying that Phillip Allsopp gestures that you’re a wanker at the meeting.

PC - He’s never done that at a meeting, he’s done that outside of the meeting. Lots of the complaints come from outside of the meeting. I’ve had several complaints made about me, about my conduct while I’m not in capacity in my view.

MK – Right.

PC – Sorry Melvin, I just want to try and understand. If Willington Parish Council wasn’t broken, my words. I wouldn’t need a camera. I probably wouldn’t need an audio recording; it would be sufficient for the Clerk to have both or for the Clerk to have a Dictaphone so she could type the minutes up and a camera that was catching everything. That would be a point that I would like to see whether I’m on the Parish Council or not, a point that they aim for in the future.

MK – What? Recording?

PC – Well actually recording so that it goes out on. A Willington Parish Council video that goes on the Willington Parish YouTube or Facebook channel so the whole Parish can see it.

MK – Some Parish Councils do that.

PC – That would be utopia. I don’t think we are going to get there with the current eleven members. So that would be my vision for the future. I believe that currently, the current position that Willington Parish Council is at I need both an audio and video diary of events of the meeting in order for me to firstly protect myself from allegations made against me and secondly to support allegations I may make about others.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – OK, I get that. So, going back to the specific of that meeting and that complaint, you are saying that you did not move the camera, my words, to follow Claire around the room.

PC - I can't find the words. There're no words that seem appropriate enough to just say no, I didn't do it, just seems.... No, I didn't do it. One hundred percent did not move a camera that had been filming for one hour and twenty-three minutes to point at Claire Carter. At the meeting, the Extraordinary meeting last week was specifically for the Clerk, before you get to any exempt item, you have to go through the formalities of Public Speaking and all the items appearing at the top of the agenda. At that meeting, before we got to the exempt item, I had my camera in front of me and Claire Carter was sat there. At no point did Claire Carter utter a word. This was the first meeting she's been to, the second meeting she's been to, I think. The camera was out, it was in Public Session, she never once said she felt intimidated, harassed or that I was acting in poor conduct, the meeting just carried on, as meetings should carry on. As soon as we got to exempt item I turned the camera off and put it in my bag, so, I fail to see why at one meeting she feels intimidated, I don't fail to see, I understand why she's done it. This particular meeting, she feel intimidated. On Tuesday night I will be filming. I have a meeting on Tuesday night, I'll be filming, it will be interesting to see how Claire feels. Have you ever been to a Willington Parish Council Meeting?

MK – I haven't, Karen has.

PC – I actually encouraged the guy at South Derbyshire District Council, his name is Kevin Longstaff? I can't remember. He's the guy that phoned me up. I actually encouraged him to come down to see what's happening.

MK – Right, I've got a couple more questions about this and then we will have to move on because otherwise I don't think we will get any further. First one is, you've spoken about your wife and I think you said she's broken her collar bone.

PC – Well she's broken her collar bone, her cheek bone, She's still not in a good way now.

MK – If she had been Claire Carter and for the sake of argument and I had been you and I had filmed in the way that Claire alleges. How would you have felt about it?

PC – So, the roles are that.....

MK – Yes, I'm saying that if it was your wife rather than Claire and not you but someone else had been filming in the way that you were filming, would you have had any concerns about it?

PC – So, I think the only way I can answer that is yes or no. I don't think there is an easy way to answer it though because, Jackie, my wife is fully aware of the issues.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – I'm talking about really what I'm talking about, only you know what was in your mind when you were filming. If it had been your wife rather than Claire, forgetting that it's you, because your wife wouldn't bother about you filming her. I'm just trying to say if it was your wife and Claire Carter's husband, how would you have felt.. ?

PC – I understand. If my wife was being filmed as a Parish Councillor

MK – In that way

PC – But I wasn't doing it in any way.

MK – Well the way you were filming on that day. What's in your mind?

PC – Is the implication that I was doing something wrong?

MK – No, the implication is that you were filming, you know how you were filming, how would you have felt if it had been Claire Carter's husband and your wife and the roles were reversed?

PC – so, I would absolutely have had no issue. The reason I wouldn't have had an issue is because I'd have been sat in the audience and watching what was happening. I know that me person wasn't doing anything wrong.

MK – OK. That's fine. My other question is, we've talked about other witnesses before. Do you believe we should be talking to; I know you mentioned Caroline Blanksby, I know there are other names, do you believe we should be talking to them in respect of this allegation?

PC – In respect of this allegation, I would hope that Angela Budworth who is a Parishioner, I can contact her to see if she is happy to do that. I don't have contact details for her, she is just somebody who more often than not, comes to Parish Council Meetings. There aren't that many people. Caroline Blanksby would certainly be one.

MK – We've heard Ros Casey mentioned.

PC – Melvin, you clearly know.....

MK – I know who the people on the Council are

PC – And you know the six people I'm not going to ask to be witnesses and you know the five or four that I am.

MK – I know but I want you to have the opportunity to make your case. As I said at the beginning, I'm not in the least bit interested who's right and who's wrong in this. I want you to be able to make your case properly.

PC – It just seems to me, so frustrating that at one day a snapshot in time that in one day at one meeting there's a massive issue that I'm filming and subsequent meetings,

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

I think now they actually understand that actually we'd better just leave him alone because he can do what he's legally allowed to do. I can tell you now that on Tuesday night, no one will utter a word of it. I did not and unequivocally would not. I only joined Willington Parish Council to make Willington a better place. Now if Claire Carter wants to be a part of that, I don't have to like her. I suppose I'll never like her; you know, we will never be going out for drinks. But I wouldn't do that to somebody, I would absolutely, unequivocally would not deliberately..... and do you know why I wouldn't do that? Because I know what it feels like to be harassed and intimidated and nobody should be made to feel that way. So, I would not do it. Can we take a minute?

MK – Yes, sure. Would you like a drink or something?

PC – Yes, if I could get a tea or something?

MK leaves the room to get refreshments and PC leaves the room also. PC returns two minutes later. MK returns one minute after.

PC – If Claire felt the way that she did, then I have my own views after such a long time but if she genuinely did then you know, it was never my intention. For twenty seven years, in the industry I'm in, of course there are issues in any industry, whether you are in Tesco distribution or the Fire Service but that's my world that's what I've been doing for twenty seven years and Claire and I will never see eye to eye and I think healthy debate is healthy at Parish Council meetings but we will never. It's embarrassing that some of the things have happened but the suggestion that I did what I did to make her feel intimidated or harassed was absolutely never my intention. What I would suggest is that the issue that she made thereafter was to try to put the spotlight on me for her own game. And when when I say her own game, I'm talking very generic there for the game of the Parish Councillors that dislike me being there. I know from the very get go that their goal is to get me off the Parish Council. In fact, it wasn't, shall I tell you what the game was? It came from Councillor at the time, his name is Bill Harding who was involved in a land swap between the Parish Council a Parishioner. The Parish Council owned one piece of land which is adjacent to this guy's garden and he owned a piece of land across the way and the previous administration of the Council agreed that [*interrupted by tea and coffee being served*] the Councillors at that time, in fact they weren't Councillors, there was Ian Walters and John Phillips told my friend that they were coming on the Parish Council. They were going to stand at the election of the forthcoming Parish Council to get rid of Joe Cullen. Paul's alright, he's not too bad but if they come as a package deal then he has to go as well.

MK – Alright. I was talking about witnesses

PC – Ros Casey, Caroline Blanksby, Tim Bartram.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – Should we talk to them? It's my feeling we should talk to them.

PC – They were all sat there at that meeting.

MK – We will make efforts to talk to them. Shall we move onto the next complaint? The next one is about the Extraordinary Meeting and covers the three complaints 94,95,96 and the letter. I don't think you should read too much into the letter it's just a letter. It is alleged that you left your seat and stated that you were, and I've listened to this, stated that you were going to speak as a member of the public. Went to the public area where you made a personal attack on a Parishioner, verbal attack, on a Parishioner in a threatening and intimidating manner and the Chair and the Clerk had to persuade you to return to your seat. As I've said, this is captured on an audio recording which I've listened to and it does appear to me that there was certainly a disturbance, I heard you say that you were going to speak as a Parishioner. I heard you say that you were sick of it, a couple of times and we spoke to several witnesses who bear that out. Now, what's going on there Paul?

PC – So, that particular meeting was.....

MK – That was the Extraordinary Parish Council meeting on the 24th September at which a Parishioner stood up and made a statement but didn't stand up, I think she said.

PC – I remember it very well. The issue here, the particular Parishioner, this is John Phillips' wife, her name is Nicky Phillips. At the meeting, to give it a bit of background, in the Extraordinary Meeting in June, this was after her husband resigned from the Parish Council following the scumbag and drug dealer email. After he resigned, his wife and mother in law, who comes to a lot of meetings, I believe she is a Parish Councillor in another Parish. At the Extraordinary meeting in June, they stood up. Mark Bartram who wasn't a Councillor at the time but he's a very good friend of John Phillips. John Phillips' cousin, a lady called Alice Wilmott who is Pat Jenkinson's next-door neighbour. Pat Jenkinson, although you may not have heard her name, is very pivotal in all of this, she is Ian Walters and Mark Bartram's mother in law. It was her daughter who reported me to the Fire Service. So, there were a number of people at that meeting, Nicky Phillips included who stood up and it was an Extraordinary meeting, I can't remember what the agenda was.

MK – Was this in June?

PC - Yes, they stood up and they joined public participation and they made a verbal attack on both myself and Councillor Joe Cullen about conduct, about behaviour, there was some general comment about the conduct of the Council but I think it would be fair to say, the main thrust of the surrounding me and my dad. I sat there and listened to it and I never uttered a word. There was no acknowledgement from any of them of

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

any wrongdoing by their loved one, John Phillips. It was really everybody else's fault except his. That did cause me some frustration. So, that was in June. July, I can't remember if there was a meeting or not but in September, I said to Deb Townsend, I want to speak in public participation, I'm not speaking as a Councillor, I want to make some observations of my own. I said, "Can I do it?" She said that I could. This is Deb Townsend the Locum Clerk.

MK – She said you could?

PC – She said I could. She absolutely said that I could. In fact, if I remember, although at that point in time I was neither audio nor video recording meetings. I spoke to her prior to the meeting and then she spoke to the Chair who was Phillip Allsopp and then when we got to public participation there was a couple of members of the public who made comments about various things and then Phillip Allsopp said to me, I believe Paul wants to say something.

MK – I'll revisit the audio.

PC – I don't think you will find any audio from the June meeting.

MK – Oh, we are talking June, are we? I was in September.

PC – What I'm trying to do is, I'm trying to paint you a picture of why I believe what I did on that evening wasn't extraordinary, I'd done it before and with approval. That is the actual transcript [Paul produced a document] of what I said at the June meeting with approval from the Clerk and the Chair and that is actually captured in the minutes of the June meeting.

MK – All of that?

PC – Well no, the transcript isn't captured, it just says that Councillor P Cullen spoke as a member of the public during public participation. I have got minutes somewhere. So that is the transcript that I actually said at the meeting in June and what I did, was make reference to all of the allegations. No, I didn't say it in June, it was said about me in June and in September, so in September, it will be captured in September's minutes, I actually read this out with approval.

MK – So that, that piece of paper, is what you said when you spoke as a parishioner on the 24th September.

PC – 24th of September is not when the allegation is made against me is it?

MK – Yes.

PC – Then no. In answer to your question, this is at a prior meeting.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – This is at the Extraordinary Parish Council meeting on 24th September a Parishioner made a statement, pretty sure it is, about the need of the Council to I've got the text what was said, Paul.

PC – I understand that one, they're not the same meetings. If the dates are important then I'll find that out.

MK – What is important actually is this meeting, the 24th of September.

PC – At a previous meeting, with approval of the Clerk and the Chair, I stood up and spoke about comments that had been made about me during public participation at a previous meeting, OK? So that was that. The important thing in all of this is that I get no support from the Chair. I actually said to the Chair after that meeting where I did this. I said everytime they were very personal attacks, Paul Cullen, Paul Cullen, Paul Cullen and the Chair never intervened once. In public participation, you can only discuss and comment on items on the agenda. Paul Cullen wasn't an agenda item at that meeting but the Chair, because of his dislike for me, I suspect, allowed them all to make those comments about me. At the meeting in September when Nicky Phillips started to make her comments about an item on the agenda and it was very clear who she was talking about. I'd done it in the past, I'd spoken as a Parishioner during public participation with the approval of the Clerk, Deb Townsend at the time and it is now, and the Chair, Phillip Allsopp. I sat as the public, I never once directed any of my comments to Nicky Phillips. I addressed only Council in response to the comments that had been made. Nicky Phillips wants to go around the village whether it be me as a Parish Councillor or me Paul Cullen parishioner of the village and make allegations about my conduct and behaviour and accept no accountability for what her husband did in that email. Likewise, her mother and his mother in law, Sue Carter so it appears that there is now a family vendetta against me by that particular family. I was very clear what I was saying to Council that I did nothing, I wasn't the orchestrator of that email for him to refer to me as a scumbag and a drug dealer and if she wants a resolution on this, you've got the transcript there, then the place to come wasn't the Parish Council asking those questions, it was to ask her own husband, because that's the place where she would find it, not me, I don't know why he did it. If the Parish Council was to move on, it wasn't by allowing Nicky Phillips to come during public participation and discuss things that were not on the agenda. I actually said that to Phillip Allsopp after the previous meeting. You can't allow people to continuously come and there are occasions when he's said to people, "That is not on the agenda", and he will not allow them to speak on it but it seems when the topic is directed at me, he's quite happy to waiver that.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – What was actually said, was “I was at the last Parish Council..... And you shouldn’t conclude Paul that Nicky has herself complained about this. There are four complaints about it.

PC – But you’re not investigating all of them?

MK – Yes, because they are all about the same issue. LAC/94, 95, 96 and the letter.

PC – But the letter is for 77.

MK – It was a device; it was written by the person who raised 77. OK? And they wrote further to that complaint. I can’t show you the letter, obviously. I wouldn’t worry too much about the letter, the point is that 94, 95 and 96 and the letter appended to 77, all address this issue, this incident.

PC – If one of the complaints are from, and I know you can’t do anything about this personally, but if one of these complaints is from the Parish Clerk then we shouldn’t be discussing it because she’s the very same person who has prevented me from obtaining professional legal advice by denying me the opportunity for me to have it as an agenda item. So I wanted it including as an agenda item and I’ve got the actual wording I keep sending through to her and she’s saying I’m not putting it on the agenda which is perverse if she’s the person who has put a complaint in about me has prevented me from seeking professional legal advice to defend myself.

MK – Well if it came to it Paul and it were relevant, you’d have to rise that at a Standards Committee if it came to that.

PC – I wanted to put a complaint in about Debs Townsend and Willington Parish Council’s complaints procedure said that complaints about the Clerk because in essence she is our only employee. Well not in essence, she is. Because there was a meeting that they held which wasn’t quorate and there was two Councillors and more so the Clerk because she should have known that she’s there to advise Council and I was told that the other two Councillors were John Houghton Vice Chair and Phillip Allsopp, Chair. The three of them had a meeting where they conducted business and made recommendations to full Council. I wanted to put a complaint in about Deb Townsend’s conduct and what does our complaints procedure say? It says I have to submit it to the Chairman, well the Chairman’s complicit in the complaint I want to make about the Clerk. So then what does it say? The Vice Chair well actually it’s the three of them and they wouldn’t allow me to make a complaint to another body. I can’t complain to Ardip Kaur because she doesn’t receive complaints about employees. I’m just trying to give you a flavour of where I am. To this day, I just haven’t been able to resolve that. I’m not asking you for an answer Melvin, I’m trying to give you a flavour of what’s happening.

MK – Yes, I understand. I understand what you’re saying.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – The person who is making a complaint against me is the person who actually she should declare it to full Council, she shouldn't really be having any dealings with me per se because she should declare it to the Chairman who should then remove her. I shouldn't even be communicating with this woman and now she's saying, "You're not having professional legal advice," well actually, that's not for you to determine, that's for full Council to determine because it says 14.1.c in Standing Orders that I can.

MK – May I read out what was said?

PC – Yes, sure

MK – It says, *"I was at the last Parish Council meeting and heard first-hand the Clerk's report. Following valid points were put forward by the Clerk. The Clerk is there to assist the Council to move forward in a positive way. I can only see this as a good thing. Worryingly, there has been a high turnover of Clerks, I think this needs examining as to why. The Council is not functioning effectively, positive outcomes are difficult to achieve....."*

PC – Sorry Melvin, it's at that point, I'm just playing devil's advocate but it's at that point that Phillip Allsopp should have said, "Sorry, public participation should only feature items which are in the agenda." He didn't. He told me he was going to. He didn't.

MK – OK.

MK – [continued] *"Positive outcomes are difficult to achieve not always working for the benefit of the residents. If Councillors aren't working for the benefit of the Parish, who are working against the Clerk and other Councillors, I'd like to know what their agenda is. I was saddened to hear the Clerk has not been treated in the best way by some Councillors. I think we owe the Clerk a debt of gratitude for the work she has put into the report and how she wants to assist the Council to move forward for the ultimate benefit of all Parishioners. I'd now would like to say how this meeting proposes to take on board what the Clerk in good faith has said and carry out their responsibility as Councillors, so they are all working for the good of Wellington."* I think that was when you made your public statement.

PC – Public statement. Acting as a Parishioner, in fact I actually said this as I stood up when Phillip Allsopp said, "Does anybody else want to make comment?" I was waiting for anyone else from the public to stand up which they didn't. So, I said "I do but I want to speak as a Parishioner.

MK – Why did you want to speak as a Parishioner? Why didn't you speak as a Councillor?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Because, firstly Councillors can't respond to public participation. So as a Councillor, we have to discuss it as a corporate body before we give a response. If I responded to her as a Councillor, I would only be giving her my view and my opinion which is unfair, which Phillip Allsopp does all the time because I told him that you can't do that. Deb Townsend does it all the time. Can't do it. She was asked about an Extraordinary meeting one time and Deb Townsend said "Absolutely, one hundred percent, Extraordinary meetings are only for urgent business." I said to her "They're not", well I said after the meeting they're not. I didn't say anything to her at the time. I said "First of all you shouldn't be responding to the public, you might want to put it on the agenda for next meeting or give them a written response or put something on the website but you can't give....and you're not there to respond anyway. You're there to advise Council. So, in answer to your question, that's why I didn't. My assumption was, I've already done it in the past with approval from Council and actually you will probably know more about these things than I do. I have to look and study and look for these pieces of legislation but for me to speak, if I declared an interest in an item, I'd be declaring an interest on an item of the agenda. Then I can speak on it, in certain cases only with approval where I have to write for dispensation. In that particular instance where a member of the public says something with a Councillor doesn't necessarily agree with there is no other way for them to respond to it other than to speak as a Parishioner. Quite simply, it's not Willington Parish Council Standing Orders it's the Local Government Act, it doesn't allow anything else.

MK – Why then did you respond at all?

PC – It was borne out of frustration. Nicky Phillips isn't remotely interested in what's good for the village moving forward in terms of the best eleven people round the table and the best Clerk. I knew what Nicky Phillips was doing, she was seizing an opportunity supported by Phillip Allsopp, not necessarily supported by him but not addressed by how it should be chaired. It would be fair for me to say, if you watched and I don't want you to pass judgement but it would be fair for me to say as a Councillor, that he's a very weak Chair to the point where he's incompetent. Now also we don't have a very good working relationship which is John Houghton, who is the Vice Chair who I actually would say is an excellent Chair. OK? So, this is not about whether I think Phillip Allsopp is a great person or not, because I don't. I think he's a pathetic, incompetent Chair. I actually don't like John Houghton and he doesn't like me but he's an excellent Chair, I concede that. I would much rather, come the May election that John Houghton is voted in as Chair and not Phillip Allsopp. Phillip Allsopp had the opportunity to stop all of that prior to it happening and you would argue that Paul Cullen had the opportunity to.

MK – I might ask you that question rather than argue it.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Look there are things that have happened we spoke earlier on. If that had been anybody else other than the wife of the person who had referred to me as a scumbag and a drug dealer and to this day has made no apology for those comments, then expect my reaction would have been different. But I still don't think it was inappropriate.

MK – Certainly when I listened to it, it sounds heated.

PC – OK, first of all then I never once, I didn't even turn to look, both Sue Carter and Nicky Phillips were there. I didn't address them, I didn't look at them, I addressed Council, so that everything I said was to the ten people sitting in front of me and the Clerk. At that point, the Clerk and I have no idea why, I get why Phillip Allsopp would do it I don't understand the Clerk would do it decides that she is going to start shouting at the top of her voice, "No Paul, no". I don't understand why a Clerk would do that. It's not within her role. The Chairman by definition is there to Chair the meeting. She may well have wanted to say to Phillip Allsopp, "I think you should stop this".

MK – He did try to; I've heard him trying to.

PC – What he didn't do and what you will notice, I actually stopped. I actually stopped and what I did was pull it back, in fact there's a couple of things I want to pick up on there, I actually tried to be a bit more objective because you know, we've got Councillors around that table who you know, it was fresh in my memory who had referred to me as being a wanker. He's sitting there smiling at me while I'm trying to defend myself against his best mate's wife and decides to seize an opportunity to have a go at me in public, that's all it was about. At no point and she's screaming at me, she's screaming at me and at no point nobody tried to address her behaviour. I suppose another point for me is when we talk about "capacity" as well. I would argue given the fact that the minutes and the minutes will reflect this, what I said at a previous meeting with the permission, they knew what I was going to do. They knew I wasn't acting in my capacity of a Parish Councillor, I was acting in my capacity as a Parishioner and the reason I was doing that is because of the way Parish Council meetings are allowed to be conducted in line with the Local Government Act doesn't allow me to respond to, doesn't allow any Councillor to respond to members of the public during public participation and the only way you can do that is by declaring an interest, well I can't declare an interest because I have no idea what members of the public are going to say, so I can only speak then as a Parishioner.

MK – Can I ask then Paul, if you believe that you weren't in capacity are you satisfied that what you said would still have been appropriate if you were in capacity? Does that make sense? So, let's assume you were in capacity, were you still speaking appropriately in your view? Do you understand what I'm saying?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – I do but I'm trying to shoehorn it into this particular scenario, and I don't think I can have acted in capacity in that particular scenario without being in breach of the Code of Conduct.

MK – Say a bit more

PC – If I was Councillor Paul Cullen, no I was very clear that I speaking as a Parishioner, if I sat there and responded to her and said the things that I said to a Parishioner and it wasn't meant to be nasty it was meant to be matter of fact. You've clearly got an issue with me, your husbands clearly got an issue with me and I have to respond to that. If I'd have done it as a Parish Councillor, I think I would probably.....I don't know it would be for people like you to determine, I would probably would think there would have been more of an argument that I would have been in breach of the Code of Conduct. I don't think I was in capacity. I honestly don't.

MK – And I'll ask the same, if it were your wife, question if you may. Forgetting Johnny Phillips.

PC – I can't, I can't, even before you ask the question. I know that I wouldn't even be able to give you an answer.

MK – OK that's fair enough. OK, anything you want to say about that Karen? Before we move on?

KP – Was the Clerk's report on the agenda?

PC – Yes, I think it may well have been. However, I'd asked for that to go on because I don't know, have you seen the Clerk's report? The Clerk's report is maybe just an agenda item.

MK – We have seen it in times gone by, haven't we?

KP – Yes.

PC – The Clerk's report is the one she refers to making allegations that the Clerk hasn't been treated very well and that we've gone through a number of Clerks. That unbelievably, you know if the Clerk genuinely believes that, I think we should be discussing that as an exempt item, I don't think that should be going out to the public domain. And that's what I'd asked for prior to that meeting. In fact what they wanted me to do in the meeting prior to that was to discuss.....the Clerk had spoken openly about her what she believed was the conduct that she was receiving and she'd put it in her report in the public domain. My view was, that shouldn't have happened that should have....she's more than at liberty to have her own views and opinions but that should have come to us as her employer and we determine whether that goes into the public domain, or as an exempt item. I'd asked for it very specifically to discuss this as

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

an exempt item and they denied that, they wouldn't allow me to do that therefore I couldn't discuss it as I wasn't prepared to compromise her and myself by doing that.

MK – I'm conscious of time, it's half eleven, we've been going quite a long time. I'm going to move onto 103 and 105 which are both about the same alleged incident after the RAC meeting on the 4th November, this is the one I think where you are said to have gone along and started filming and because the agenda hadn't been posted according to the Standing Orders, so it hadn't gone up in time, the meeting should not have taken place ergo, the meeting shouldn't take place and I think you said that and Phil took a bit of consultation and the meeting was brought to an end.

PC – Yes, again it was embarrassing but it's important for me to give you a bit of background on the lead up to the meeting so as I've already said I was the I think there had been a footpaths group in Willington, I don't think it was attached to the Parish Council many, many years ago but I sort of reinvigorated that a few years ago, it has become, very well attended, it's got lots of non-Parish Councillors who are members of the Committee, so non Councillors with voting rights. It's a very, very successful group and it will only get stronger. All meetings of the full Parish Council or sub-committees or committee meetings have to give the Statutory three days' notice and the rules around that don't include the date of posting, weekends and day of meeting so. I posted footpaths meeting. There's a notice board, probably the nearest notice board to both myself and Phil Allsopp's house and to comply there's occasions when its last minute. Sometimes it's like "Oh I haven't posted the agenda for the footpaths meeting, if I don't get it up tonight before midnight, I can't have the meeting" so it will be like the night before it will go up. It only has to go up in one place. I then go walking the dog at night-time only to find that the agenda I have posted has been removed from the notice board of which he's admitted doing. No, he didn't actually admit it, he didn't say I've done it, but he didn't deny it. So I can't prove that he did it which was petty and again, by removing it, it has to be placed in a public conspicuous place in the public place three days before, so by him removing it, it wasn't placed in a conspicuous place three days before. So, to this day, a every time I post a notice, I take a photograph of it straight away so if he removes it it's his choice and there have been some removed since. So that was in the lead up to the meeting. On his particular meeting on that day I think it was a Monday meeting which means you have to post it on Wednesday. He posted on Thursday which meant he hadn't given the statutory three days' notice. So, I went to the meeting and yes, you're absolutely right, I challenged him on his statutory notice. He clearly didn't have a clue what it was. He said, "Yes, you're absolutely right, it's three days" and I've given it three days. I think you know everything else. The only other thing I'd say on that really is that it's embarrassing he is such a poor Chairman to the point where he was going to carry on with the meeting. Which clearly, under the legislation he can't do but the important

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

thing for me is, the meeting started, he did his introductions, he did his declaration of members interest and he got to public participation, I don't sit on that committee and it was at the point we got to public participation that I raised my concerns so there again, I don't believe that I was, you know, I don't sit on that committee, it wasn't ambiguous, I didn't sit around the table with them I sat with the public, there was only one member of the public which happened to be Sue Carter so I don't believe I was in capacity.

MK – So, it is alleged that after all that had happened and the meeting had closed down, you lost your temper with an older female Parishioner.

PC – She actually gave her name on that one.

MK – Did she? You attended the meeting, pointed your finger at her in a menacing way, verbally abused her before leaving the building. Your behaviour is it is alleged was, quote, “Nasty and menacing and the Parishioner was distraught and distressed and burst into tears as a result. It is further alleged that after she spoke about notice boards or something. After she'd finished speaking and left, or partly left, you stormed back and went to Councillors Ros Casey and Caroline Blanksby told them to, “*Stay put and listen to what **she**, the Parishioner said and to let you know, what **she** said.*” The Parishioner, **she**, being the operative word. The Parishioner shouted out, “*Who do you think you are calling she?*” You, it is alleged, pointed your finger at her in a menacing way in a stabbing movement saying “*You, you, you.*”

PC – There are a few inaccuracies in there but generally speaking, I mean, I didn't leave and come back it was all in one but I absolutely said to Caroline Blanksby and Ros Casey but I didn't ask them to stop because I know they've bad mouthed me in the past and that she will bad mouth me in the future.

MK – She, being Sue Carter

PC – Sue Carter, yes, mother in law of John Phillips.

MK – So did you do that?

PC – I mean, it's all about perception isn't it?

MK – It is, yes.

PC – If her perception is that I acted in a menacing manner and pointed my finger, her complaint surrounds, for me, it would have to be, I would have to be in capacity for it to be a Code of Conduct complaint. I never gave anyone the impression, including Sue Carter that I was there in anything, I've got the audio recording of the entire

MK – Can you share that with us? I don't think I've got it.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – No, nobody would have unless Phil Allsopp or John Houghton have because they were both there.

MK – It would be good if you would share that with me.

PC – I think for me, before I would do that, I'd just need to understand that, I think I've said it in email to you and I've said it here today, I'm kind of comfortable in my own mind where I'm going in the future, I don't know when that will be, I'd like to think it will be when you have concluded your investigation and the Monitoring Officer has made her decision on how she wishes to proceed with it because if it does go to Standards Committee, then I would want to attend and defend myself there as well. So, I suppose what I'm saying is that for me to share the audio recording with you now, if I was sat on that committee and I was acting as a Parish Councillor, I would have no objection to sharing it with you quite freely now but I don't feel that I have to.

MK – You don't.

PC – No, no, no this is no sleight on you, I don't feel that I should have to justify my actions when I'm acting as Paul Cullen, number 12 Tailby Drive, Willington, Derby. Otherwise it just becomes an open duck sheet. In fact, do you know that's a really good point because I do when I go out now, I've got like a body harness and this goes out with me [PC picks up a small Dictaphone] under my coat and if I see John walking across the fields, out walking his dogs, it comes down and it's turned on. So, I was very clear, at that meeting that I was acting as a member of the public.

MK – OK, all right.

PC – I don't sit on that Committee.

MK – No, I understand.

PC – I don't sit on the RAC, I sat as a member of the public, I sat with Sue Carter. I fail to see how I could have been acting as anything else.

MK – So if you had been in capacity. If you had sat on that Committee are you saying that there would be a legitimate case to question your behaviour towards her?

PC – No, no.

MK – You're not saying that?

PC – I'm not saying that. I'm saying I'd share the audio recording with you because it would, you would then be able to conclude your Code of Conduct complaint. For me, I'd take it one step further back because I don't think it is a Code of Conduct complaint.

MK – But did you do what was said? Was there a shouting match? Did you point your finger at her?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – No, no, I said to Ros and Caroline can you just make sure you stay, in fact I didn't say make sure you stay, I said, just can you make sure that if she says anything about me because as I walked out of the door she stood up, in fact, before, while Phil Allsopp and John Houghton were having their deliberations about surrounding whether there should or shouldn't be a meeting and they were going to continue and then they weren't going to continue well it's 3 days' notice, well I think Thursday's are counted, what do you think? Well I think it is, well shall we carry on? Well I'm not sure. Sue Carter then goes, "You know, I think we should continue, I think it would be a great shame for the meeting not to go ahead, there are important things to discuss". Absolutely, I couldn't disagree with anything she said I never said anything, I never spoke to her at all. Phil Allsopp said "That's it then, I'm shutting the meeting and he said "Thank you Paul" to me. I said "I'm going now, can you just make sure they don't say anything about me" to Caroline and Ros and as I'm walking out the door, Sue Carter stood up and doing the exact thing I thought that she would do which was started to say "I see he's got his own way again, see what he's managed to do now" or something. So that's when I turned around.

MK – All I would say Paul, if you could see your way to share that audio with us, then I would know that wouldn't I? I'll say no more but I would know that, and I would know what had been said, end of.

PC – Yes, no but then.....it's just honestly, it's purely about if I was sat on that Committee as a Parish Councillor, then I would let you listen to it. I don't see why I should have to.

MK – You don't have to. I'm saying that we're here to investigate it. If you are able to demonstrate that that is indeed what was said and that it was very low key and there was no jabbing of fingers and so on and so forth then it helps doesn't it? Because like I've said to you my interest is in getting a balanced view. I want to get to the right result as it were and if you've got an audio of it then that helps me get to the right result. There may be one but I'm not aware of it.

PC – There might be one, I don't know. I know I've got mine because what we spoke about earlier about protection, I mean that's what it's there for but I just, I genuinely don't understand why I should have to justify my actions when I'm being investigated under a member Code of Conduct Complaint when I wasn't acting as and very clearly not acting in my capacity of a Parish Councillor.

MK – OK. I can't say anymore, and I've asked you and you don't want to share it so let's move on.

PC – If I was, I would share it but if I wasn't, so I absolutely wasn't. The only other point I'd mention when the complaint came through about November, I have it here 103.....

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – 103 and 105, is that what we are talking about? Sorry, are we talking about this one or is there something else?

PC – No, 103. 105?

MK – 103 and 105 are about the same incident. There are two complaints about this incident.

PC – So, 103 complaint, this is going to sound like I'm being pedantic but I'm trying to defend myself. It says "I have a right to inform you that I've received a complaint about your conduct. The complaint was received on 30th November. The allegations relate to your conduct at Willington RAC Committee meeting held on the 4th November. I have asked, and I have searched the website, I searched it again before I came out today and I've asked at numerous Parish Council meetings for minutes of the RAC meeting from the 4th November and there isn't any.

MK – I presume there wouldn't be if there wasn't a meeting.

PC – But the charge lodged against me is my conduct at the RAC meeting on the 4th November and as I say, you understand why I feel I'm being pedantic because there wasn't a meeting on the 4th November.

MK – OK.

PC – And if there was, I wasn't acting in capacity.

MK – So you're saying that if you had been acting in capacity then your behaviour was appropriate.

PC – Yes, absolutely.

MK – OK. Let's move onto the very last one, which is a bit more complicated in that it's about emails that were directed at the Chair. I didn't want to give you a list of emails Paul, but I've got text of them.

PC – I'm just going to log into my email account now.

MK – Yes, please do.

PC – OK.

MK – OK, right, I'm looking at a first of all, the complaint refers to you twice copying Phil Allsopps email address to people outside the Parish Council without his permission.

PC – But you're not investigating that.

MK – let's just say we have investigated it because there is prima facia evidence that that actually happened and it will go into the report that it happened but we don't

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

believe..... you just did it, there was no malice behind it. You just did it, there was no harm done, it was pretty trivial end of.

PC – Can I just have one comment on that?

MK – Sure.

PC – So all Parish Councillors have the facility to have a @willington pc.org email account and Phil Allsopp, he's not on his own, chooses not to have an account, so in the event that he chooses not to have that account, I suspect that myself and others, on occasions, when email circulations have gone on have done that.

MK – Yes, I think that we accept that. I will have to refer to it because it's part of the complaint but I will simply say, for want of a better phrase, I think the word we've used in there which is one of our favourite words, it's nugatory.

PC – I didn't know what that meant.

MK – No, we play about with it actually sometime. It kind of means, of no real consequence. So, I mentioned that in the sense of completeness because I believe it's in that complaint. So, the first email I have got, Paul is dated 5th June 2019 at 15.58 and I've got the text here.

PC – This complaint number is?

MK – 86. Dated the 19th August

PC takes a few minutes to find the email

PC – I'm sure I've seen it

MK – It's basically says, the complaint is that *you sent a series of abusive and vexatious emails to the Chair over a number of months in an effort to force him to resign*

PC – OK

MK – So whilst it's dated the 19th August further emails came to me and said that that was still happening.

PC – But no further complaints came to me.

MK – He was adding to the earlier complaint.

PC – OK.

MK – So I know what's going through your mind Paul.

PC – Yes, so I should have received another complaint, you can't keep bolting things onto a complaint, even you can see that.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – I just have to deal with what's in front of me.

PC – OK, so I'm not happy. I'm not happy anyway but I'm really not happy if you want to discuss anything after the 19th August.

MK – OK, let's have a look. There are two after that day.

PC – Do you know when?

MK – Yes, yes, I'll come to them. The one's that I'm talking about are largely in June.

PC – OK.

MK – Right, so if you don't want to discuss the ones after.....

PC – If you won't be able to conclude your investigation for the sake of discussing two emails if I choose not to discuss anything I haven't been notified about?

MK – If you don't want to talk about the two emails which post date 19th August, that's up to you.

PC – But you won't be able to conclude your investigation?

MK – There is nothing to stop me referring to them as background information, just as I can refer to anything at all as background information because to be clear, this isn't as it were a criminal trial it's not beyond reasonable doubt, it's on the balance of probability, it's effectively a Civil, it's not actually even a civil, it's the same burden of proof that you would have on a Civil. So, it's entirely up to you if you talk about them at all. I can't make you talk about any of it. 5th June at 15.58.

PC – I sent?

MK – Yes, you sent it to the whole Council

PC - I haven't got that one.

MK – You haven't?

PC – Well I'm only referring to the ones that I've sent to Phil Allsopp.

MK – Oh right, OK well he was copied. Well you can look at it. [MK passes PC the email] You can't take it away, but you can look at it.

PC – Is this the whole email trail where you read back to front?

MK – I believe, that's what I have got as evidence, I don't know what the rest of it is about.

[PC takes a couple of minutes to read the email]

PC – OK

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – So, the complaint refers to Chair and Vice-Chair “freelancing and failing to communicate with the wider Parish Council” and the need for the Chair 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.

PC – Financial audit?

MK – I make no mention of a financial audit in my email, sorry.

MK – No, no. So, I think this is about the tone of the email and the suggestion he’s freelancing and failing to communicate, and he should be working diligently all day for the Parish Council to take action against Johnny Phillips, so that’s the first one.

PC – I have one more question, can I just look at that again?

MK – I suggest you make a note of these of what they are Paul, there’s paper here.

PC – This is 5th June.

MK – Yes, 15.58. From you to the wider Council.

PC – Oh right yes, so it’s to the whole Council.

MK – Yes.

PC – OK yes.

MK – So he considers that to be abusive.

PC – Right, I don’t consider it to be abusive and as I sit here today, I think that that is a perfectly legitimate reasonable email for me to have sent and I don’t feel I need to justify anything in there.

MK – Fine.

PC – I think again, it’s this perception fo what other people find. He is the Chairman of the Parish Council; he has a duty to consult. He failed to consult. Not for the first time, I have challenged him on this, on a number of occasions and will continue to challenge him as long as he holds the Chairman’s position and I will challenge subsequent Chairs on this. They are not there to make decisions in isolation, they don’t have any executive powers unless we give them those powers by special motion. We have done in the past, but Phil Allsopp does not have them. He had no right acting in the way that he did on that day. I understand he was trying to aid and assist the Parish Council, but he doesn’t have the powers to. An Extraordinary meeting where we sit down and discuss it while a plan or a strategy to move forward. He wants to do what he wants to do. For me, I think that is a perfectly reasonable and rational email to send and to challenge him.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – That’s fine. Let’s move onto the next one. This is dated, headed, “*Role of the Chairman*” and it’s dated the 6th June at 16.06 and there is a trail that goes with.

PC – From me to the Chair?

MK – To Phil Allsopp, Caroline Blanksby and Claire Carter and then copied to what looks like the rest of the Council.

PC – OK.

MK – Again, you can look at this Paul to save faffing around on that [mobile phone] if you want. [MK hands PC the email text] So this refers to the Chair and the Vice Chair and you, quote “*absolutely not wanting to understand the role of the Chairman because I’m 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*” the view is that you were trying to get him to step down.

PC – [takes a few minutes to read the email]

PC – Yes, that’s fine. So, the role of the Chairman is pretty much exactly what we’ve just been discussing which is desire to freelance and not consult Council. What he did was send out an outdated document of the role of the Chair and I actually sent him an attachment of the up to date legislation, not so much legislation but guidance, I think it was from “*The Good Councillors Guide*” about the role of the Chair. As I said to you, I try to go armed with and I understand that it might not be palatable and that people didn’t like me as a person, and don’t like me in the way I come across, I get that but that doesn’t give you carte blanche reason to act as you see fit. You still have to consult the Parish Council. I can absolutely guarantee you if I went off and did something, I can give you an example of that in a minute, but they’d be all me like a rash. I’m slightly embarrassed of the fact that Ardip Kaur has seen fit to put these through to further investigation.

MK – I don’t know to what extent Ardip has seen these, I assume they were attached I think they probably were attached but I can’t comment on what Ardip has done or not done. I don’t know.

PC – I would be embarrassed that a Monitoring Officer has seen fit to put forward to further investigation because, although some people might not like them, I don’t think there’s anything in there derogatory, I don’t think there’s anything in there I can’t back up. I think he has acted in a maverick manner and I think he continues to this day to do so. I’m more than happy to discuss these issues with him. Perhaps during the mediation, you referred to earlier, but yes, he sent through an outdated document. I know what the role of the Chairman is, and it doesn’t include Phillip Allsopp going off freelancing at will. That’s the point I’m trying to make.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – What do you think the role of the Chair is Paul? I mean, I'm a Chair, Karen's a Chair.

PC – I'm a Chair, I Chair many meetings at work but with the Local Authority, it's slightly different because you are very specifically, and he understands what I'm getting at, he is there to control the meeting to make sure of the ebb and flow of the meeting, you know, to make sure that everyone gets listened to, to make sure everyone gets the right air time, he stops people when he needs to and move on. Some of the things I don't think he has the responsibility to do are, consulting with the police, bringing police to the meetings. I don't think that, that's his responsibility. I have actually written emails, probably last week or so about this very same issue. I don't think it's his responsibility to go and speak to the compliance/monitoring officer at South Derbyshire District Council in order to obtain the services of a new Clerk. Which that's about? The Parish Council, what I was trying to explain to him to him that the Parish Council can function perfectly legally with a Parish Councillor taking over as Clerk as an emergency measure. He didn't want that, he wanted to go off and he wanted to speak to the Monitoring Officer, to the police, who else? To DALC, DALC is probably useful. And I don't have an objection to them per se as long as he brings back some. Actually, I do because I'd be contradicting what I'm saying. What I would prefer to happen is that we have the debate and then he goes away with a little package of proposals that we've all put forward. Surely that's how it should work. In terms of that email, again, I stand by it.

MK – OK

PC – I don't think there's anything wrong with what I've said there [PC hands MK the email back]

MK – Right let's move on. This is the 11th June, again, if you want to make a note of it. It's the 11th June, 17.09. And whilst this is to John Houghton, it copies Phil and the rest of the Council in.

PC – You know, he's actually said at the Parish Council, this is the Chairman, he said that he did respond to one email once about something because he said at Council, "I don't respond to emails", which I thought was a strange statement for a Chair to make.

MK – I think he would argue that he doesn't like the tone of some of the emails and therefore he doesn't reply to them. I'll say no more about that.

PC – OK, I understand that yes.

MK – And I think he's probably said that.

PC – Right. I think I would argue that.

MK – You'd have to look at the audio and things.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – The audio of the.....?

MK – No, I'm just saying as to whether he said such thing.

PC – Oh, right yes. [PC takes a few minutes to read the emails]

PC – OK, yes. The pissing competition specifically relates to a phrase that John Houghton uses a lot and he's put in emails a lot as well. This isn't a pissing competition, we all know what that means, so that's what I'm trying to say to him there. But again, the main body, the content of what I'm saying, I absolutely agree with. Unless you are given delegated powers, that's what we've given the Finance Committee so the Finance Committee should have discussed that we shouldn't be waiting until the eleventh hour to be discussing the £14,000 discrepancy. It should have gone to finance, it should have come back to full council, that's how these things work. It's not for John to meet. In fact, John has compromised his own integrity by meeting the independent auditor on his own.

MK – I don't know.

PC – Well they're my observations Melvin, so again, yes it simply isn't good enough, the Chair and the Vice Chair are both freelancing.

MK – Well this is about whether it's abusive and vexatious.

PC – It's a matter of fact, they did it.

MK – OK, let's move on to.

PC – I just want to say for the recording, there's nothing abusive in this at all.

MK – This is the 11th June at 17.09.

PC – Yes, nothing abusive in there. To be very clear, the "pissing competition" and I haven't written the word "pissing" relates to coin a phrase that John Houghton uses on a regular basis and actually has put it in emails. If you'd like a copy of that email, I'm more than happy to forward it to you.

MK – OK. This one is dated 12th June 2019 at 20.48 and this is to Billy Randles. I don't know who Billy Randles is, I know he's bound up with Liverpool but that's all I know. Who is he?

PC – I have no idea; I genuinely have no idea.

MK – I'd like to know why you're writing to him if you have no idea

PC – I'm writing to him in response to the email trail I would imagine, I'm probably responding to an email that he sent. Billy Randles is clearly to do with the scumbag and drug dealer thing.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – Yes, it is but again we've seen his name, but I don't know who he is.

PC – No, I don't. I assume he's read the Liverpool Echo.

MK – So he's not somebody you know.

PC – No, I don't.

MK – I think the sentence which may have caused offence is that one.

PC – So this is being treated under 86 and not under the scumbags and drug dealers one which you're not investigating.

MK – No, I'm not investigating scumbags and drug dealers.

PC – OK and I now we've discussed it, but I've never had an apology from full Council but that's an observation.

MK – I guess, though I don't know that the argument would be that it's a private matter.

PC – I do want to touch on that as directly related to this because this particular complaint because.....do you want me to do it in a minute? Do you want me to hold that thought and just rattle through these?

MK – Let's rattle through them, I mean if you want to say something generally about scumbags, drug dealers, mega bus blah blah blah, happy to hear it.

PC – No, it wasn't so much that, it was the fact that, and it's quite ironic, so I know that conversations are being had that I've not been involved in but the fact that it's not been investigated because it's deemed a private matter between two individuals is exactly the same reason that the Parish Clerk gives me for not including it as an agenda item. I've been asking for that as long as I've been asking for the other issues and that's exactly what she says to me.

MK – It means he wasn't in capacity really.

PC – And that's the point I want to make really because the scumbag and drug dealer issue, mega bus, I'll book you a seat and pay for it it was sent from johnphillips@willington.org.uk to paulcullen@willingtonpc.org.uk whilst we were discussing, if you look at the subject matter, we were discussing a car boot sale. So, two Parish Councillors on a parish Council email address discussing a Parish Council issue is deemed to be a private matter between two Parish Councillors.

MK – Well, that's my understanding. The fact that you are using a Parish Council email address doesn't necessarily mean that you are in capacity.

PC – Right, OK.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – It gets very difficult around social media for instance where people. It's very tricky.

PC – That surprises me.

MK - Well the point is, that John Phillips is no longer a Councillor.

PC – Yes, I suppose where I was going with it was, for me and you've just told me something I don't know there, I would have thought that if you were using a willingtonpc.org.uk email account then you were in capacity but you've cleared that up for me.

MK – Others might have a different view, but my view is it's not de facto that that's what it is.

PC – I'm giving my view and opinion to Phil Allsopp and John Houghton from my Willington PC account.

MK – What matters is, the content and what you're talking about.

PC – And do you know, that's why what really concerns me that the other allegation has been dropped against me because I would have welcomed the opportunity to clear my name of any wrong doing in that one and that is the one that there's no desire to pursue an allegation against me for and I suspect I know why because it clearly would not be good.

MK – Well we've not been asked to look at that.

PC – OK.

MK – I'm not the font of all knowledge on this you know, there are people who are. I suppose it's the same in your job Paul, people have differing opinions about things but there has to be more than a kind of. It depends what you're talking about and what you say and what position you take in relation to a given issue. It's complicated.

PC – No it's not, I realise you have to be the.....

MK – Well I have to make my judgements and I do consult with others who know about these things as well as myself and Karen and others.

Pause whilst PC reviews the email.

MK – I think the offending paragraph is the one that is sort of highlighted on there. That first sentence that ends in "*will do well to remember*"

PC - If the need arose, tomorrow and clearly, I've copied everybody in, I'm not trying to hide anything. If you look at the Nolan Principles, I could have not copied everyone in, and I could have emailed him back and said what an absolute idiot he is. I haven't,

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

I've copied everyone in and the three that you've shown me up to now, if the need arose and I felt it necessary to do so, I'm not being abusive, I've not use any....I don't think I have.

MK – OK, there are one, two, three there are four more if we exclude the two you don't want to talk about, this one is about this is the 14th June at 22.00. I believe. No, there's another one here, this is the 13th June early in the morning. It's a Billy Randles one, I think.

MK hands PC the email

PC takes a few minutes to read it

MK – Now this is just a follow up to what we've just discussed, so that's not really relevant, so I'm back to the 14th June at 22.00 and it has an attachment to it and I think it's the attachment that's relevant. But obviously there's that.

MK handed over the documents

PC takes a few minutes to read them

MK – So this is an email requesting an Extraordinary meeting which included an attachment suggesting, quote *“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 is clearly not the case. In order for the Council to move forward in a more harmonious manner, it is of paramount importance that Councillors Allsopp and Houghton have a full understanding of their roles and responsibilities”* and that's it.

PC – I stand by it. I would be happy to ask for that to be included as an agenda item at next week's Parish Council meeting and I probably wouldn't alter the wording much.

MK – Next one, 18th June 21.14.

PC – Melvin, can I just ask, the complaint 86 which we're discussing now has come across to you from the Monitoring Officer so you've received a block number of complaints and 86 has come across with all the other complaints so the Monitoring Officer has deemed these emails require further investigation along with the 103's and whatever.

MK – As I said Paul, I don't know to what extent she had pawed over the individual emails you'd have to ask her. But I have been passed complaint number 86.

PC – Right, OK.

MK – This is the 18th June at 21.14.

MK passed the email to PC

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – If there are anymore emails, I will ping them across to you. I think there are a couple anyway.

PC takes a few moments to read the email.

PC – Which bit in particular?

MK – It's the bit....I would just read where it says *"I would just add that the behaviour of some Councillors and their inability to communicate is really very disappointing"*

PC – Yes, so it's just that last bit. Yes, we have a Chairman who won't respond. I ask for read receipt and this is actually, really important because I'm asking for an Extraordinary Meeting, which I'm entitled to do. He's failed to acknowledge that. Again, if the need arose I don't think I'd alter that, I'd send it again tomorrow.

MK – Alright.

PC – I'm reasonably confident that the content of my emails is always appropriate, so and I thought that you'd be, not deliberately or intentionally, something out of the hat the two emails post August.

MK – No, no, I wouldn't do that.

PC - So I would actually like to see those as well, although I'm conscious of time.

MK – This is 19th June 19.45 and the second paragraph is what seems to have.....

MK handed PC the email

PC took a few moments to read the email

PC – OK, I think the only thing that I would concede on this one, although I have to say that I don't find the content of the email abusive or, I don't know what's the allegation?

MK – I think it's vexatious.

PC – There's nothing vexatious in there, there's nothing abusive in there. If I was writing this email tomorrow, I now know that.....I'd asked for an Extraordinary Meeting and I'd sent some agenda items across. If the Chair fails to call that meeting within seven days, you can proceed. The Councillors who have asked for the meeting can proceed and they can actually construct the agenda because we were getting no support from Deb Townsend on this. When the agenda came out, as I put in my email, there's nothing, basically, which she has the right to do but she must consult with you she has to ask for clarification on points you are making. She just can't make wholesale changes to it. If she's got a legitimate concern, it's her responsibility to raise them with you. The only thing that she can do is correct grammatical errors without consulting you but the content of it if she wants to change it, she has to discuss it with

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

her. If you don't agree that, she actually has the power nit to include it in the agenda which doesn't sit comfortably with me but accept that's what the law says but she didn't do that in this instance. She just constructed an agenda of the things she wanted. Well, I'm not sure if she wanted them but it was certainly not what was asked for. That's what I was challenging her on. You know, I say about taking the agenda down, perhaps what I would have done is put an agenda next to it. Or, perhaps raise it in pubic participation in another meeting. Again, I don't think there's anything abusive in there, I don't think there's anything vexatious I don't think there's anything that I wouldn't put in an email tomorrow.

MK – OK this is the last one.

PC – What was the date of that one?

MK - 19th June at 19.45. This last one is 20th June at 12.14. This is about litter picking. I think that your main piece is that front page.

PC – Oh, OK. I can get by this. Phil Allsopp had made reference to.....hang on, let me read it first.

MK – Yes, you read it.

PC – OK, I haven't read the whole thing, but I've asked him on numerous occasions. I just didn't want to re-invent the wheel. He told me at a Parish Council meeting that the RAC have conducted litter picks for which they haven't got a risk assessment.

MK – His concern is that you have said in a public forum, there and there, you have basically accused him of dishonesty in that the litter picks did not take place.

PC – Well if they did take place then all I want to see is the risk assessment for it to save me having to construct another one. I'm asking for the method statement and the risk assessment that the RAC have carried out so that I can merely use them for the Footpaths Group.

MK – What he's saying is he doesn't like the I suspect the *“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 you're 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). So, could you either send me the information or retract your statement that the RAC have carried out the litter picking events?”* He is adamant that the litter picking events took place and that there is evidence that they did take place. It's not about the risk assessment, it's about your suggestion that they didn't take place.

PC – Why hasn't this come back to full Council to be discussed?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – I don't know.

PC – First of all, OK, so he did say, I don't think he's denying that at full Council that this was all surrounding a decision made by six Parish Councillors to disband the Footpaths and Open Spaces Group and one of the things that the Footpaths and Open Spaces Group have, including this morning is a schedule of activities throughout the year, so it's all programmed in throughout the year. We'll do footpath 7, footpath 8 public open space on the Willington Arena so we know what we are doing. Six members of the Parish Council chose to disband that group, so none of that would be taking place, so I said "well we're losing the litter pick" he said, "well the RAC do it", I said, "well I don't recall the RAC ever doing a litter pick", he went, "yeah they have", so I said, "can I see your risk assessments then?", you know, because we could have used them, in fact, we actually used the South Derbyshire District Council risk assessment in the end. I want to be clear that, if the bit that's upsetting him is my suggestion that they never took place and he has evidence to support that, I would have thought that a better way for him to address this would have been for him to discuss it at Parish Council and he could have told me and he could have showed me, I can't be clear, I've been a Parish Councillor now since 2014. I was co-opted on the December before that, so the back end of 2013 which was before Phillip Allsopp became a Parish Councillor and the RAC to my knowledge have never conducted a litter pick or any kind of community event whatsoever. Phillip Allsopp went out and did some litter picking prior to the 2019 elections with his son, which was posted on social media and simply asked for some help. "Me and my dad [because it was Darren Allsopp's post], Phillip Allsopp who's standing for election at the forthcoming Parish Council election, standing for office, will be carrying out a littler pic at this date and this time", and that was it. The RAC committee, I can categorically, I can assure you, as I sit here now have never done a bone fide authorised, litter pick. We have to have a schedule of events to do ours, they've been very clear about that to comply with Health and Safety, insurance purposes. They actively go out of their way to try and stop us doing it. They actively go out their way to put obstacles in our way to stop us doing our events. So, for the Footpaths Group to jump through the hoops to carry out a litter pick, I would have known at full Council, that the RAC would have had to do the same and they haven't. So, if the suggestion is that he's not telling the truth then that is an accurate judgement on his behalf because he's not.

MK – What he has said is that after he joined the Council, he and the then Chair, Cliff Warner?

PC – Yes.

MK – Had organised a litter pick which was done under the edict of the RAC Committee.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Absolutely not.

MK – The then Clerk, Jackie Storer sourced the necessary bags and equipment for the pick and the litter they collected was picked up by SDCC the following day.

PC – OK. I'm not saying that that didn't happen, but it didn't happen as a function of the RAC Committee. For all of the activities that we have carried out, including today, I can give you evidence and the risk assessment, we save everything for this exact reason, we save everything electronically, so if you were to ask what the Footpaths and Open Spaces.....do you know, we have two groups who want the same outcome for the village fighting against each other here, it's ludicrous. Because, you know, he wants to.....I know what he wants and ultimately, he'll get what he wants because I will be resigning but the suggestion that they have done it under the umbrella of Willington Parish Council, I would know about it because we have had to have discussed it at full Council and we would have had to see the risk assessment we would have had to ask our insurance providers because have people joining in the litter picks who are not Parish Councillors. So, we have to make sure everything is crossed and if you want evidence from Footpaths that that's happened, I can give it to you. I'm guessing that Phillip Allsopp won't be able to give you that information. He's carried out the event absolutely, but not as part of the RAC.

MK – I think his concern is that you are accusing him of dishonesty now in the fine detail of it, I don't know but it seems to me he did carry out two litter picks. One in perhaps a private capacity and one in some other capacity.

PC – I would argue he didn't and if his suggestion I'm accusing him of being dishonest in his role of the Chairman of the Parish Council then he's accurate, I am accusing him of being dishonest.

MK – Right, on the grounds that.....

PC – That the litter picks that he was involved in were not carried out under the auspices of the Recreation and Amenities Committee. I know that he absolutely carried out the litter picks, I saw the picture that he posted on Facebook, but he didn't do it because I would know. I fail to see why I wouldn't know; I don't miss very many Parish Council meetings and I don't recall it being discussed. Anything that's discussed at RAC has to be ratified at full Council and I don't recall it, I will go through the minutes when I get home tonight but I'm absolutely confident that it's never been discussed.

MK – There are two more which I think you are saying are outside of the scope.

PC – I'm happy to....

MK – We can look at them. This one is the 9th October at 23.19.

PC – At what time?

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – 23.19.

MK handed the email to PC

MK – And that final sentence is what he found threatening.

PC - No, I stand by that. I stand by that paragraph. If he finds it threatening, again, that's perception and that's unfortunate but my perception, because actually, you know, with the wind in a different direction, you could be sat here interviewing Phillip Allsopp about his hostility towards me, if I'd have made that complaint, which I didn't. At that meeting, yes, this was very much about supporting the community, a planning development which he voted against supporting getting independent professional advice, against the planning application. I would have referred to the urgent business, yes. Claire Carter, John Houghton and absolutely, absolutely the locum Clerk were all hostile towards me. And I hope it doesn't continue or become the norm because I won't accept it.

MK – What did you mean by “taking him to task”, or “them to task”

PC – Right, so.

MK – What does that mean?

PC – Probably, I suspect, what I've just alluded to him sitting here in front of you. Look there is no suggestion, absolutely.....I would have no hesitation in reporting any of them to the Monitoring Officer if I felt threatened or intimidated by their behaviour. Monitoring Officer if it was a Code of Conduct complaint and the police. Which I have done, John Houghton and Phil Allsopp for what I believe is a criminal act, I have done. I would take them to task for it, absolutely.

MK – OK, this very last one, you'll be pleased to hear is the 7th November at 20.19.

MK passed PC the email and PC took a couple of minutes to read through it,

PC – Is there a specific bit that he.....?

MK – I think it's about the tone of it.

PC – I think we may have touched on this.

MK – We've touched on the subject matter.

PC – Yes, which was the meeting we held when I wanted to make a complaint about the Clerk of which he was involved in and the Vice Chair was involved in, so DALC was saying I should put a complaint into the Chair and I said, “how can I because you are involved, there must be another option”. He clearly wasn't prepared to look at that so, if you're not prepared to look at it, can I? So, I'm asking permission from him, so I can take it to full Council. If I can go and seek some guidance about it. He never got

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

back to me, so I asked him for an update, in fact, I think I asked him for more than one update but he never got back to me, so it's just died a death, well the Clerk resigned but she's back now again. I think it's reasonable. Does he think I'm being abusive?

MK – Well, these may be my words, but it is abusive and vexatious I think.

PC – Vexatious? Vexatious would mean that it's false.

MK – [reads from the complaint] “Disrespectful, abusive and vexatious”.

PC – Well disrespectful, I mean, it's not disrespectful, although, no it's not. I suppose again, for me the measuring stick is if I'm in the same situation, would I send this again? Well this actual issue hasn't been resolved because Deb Townsend has now been, I voted against it you won't be surprised to know, but she's been reemployed by us as of next week, so for me, I will be asking Phil about this again.

MK – OK but please don't do it in the context of today. If you see what I mean.

PC – No, so I'll just be following up my previous concerns around the Clerks conduct and did we manage to move forward on an outcome for me to be able to progress this.

MK – OK.

PC – No, I think I would probably send that tomorrow you know.

MK – Now, that's it, it's ten to one, there is an opportunity for you if you think there is anything I should have asked you, or anything else you want to say, Paul, then, as it were, now's your chance.

PC – I just really want to try and emphasis that there has been a campaign of hate against me. This isn't subjective. I can quantify that and get people who have told, yes? They don't come to me. This campaign has over spilled, beyond the Parish Council. I get complaints lodged against me to my primary employment, police knocking on the door and it has impacted on my mental health. It's impacted on my family and I've made a decision about where I'm going to go with this but it won't be until this is concluded because I would like to hope, think, that even if your recommendation is that this goes to Standards Committee, I'll stand in front of them. I think that some of the complaints that have been made against me have been made against me because I'm Paul Cullen and not because of the way I've acted or conducted myself because it's clear that other Councillors act and conduct themselves in a very similar manner to me but nothing is ever done about it. The video recording, I will continue to do, maybe until the Council adopts its own procedure where we have a single video which everyone has access to. The one thing I can probably assure you is that I don't believe that I've acted inappropriately at Parish Council meetings but I'm pretty confident that you, or somebody like you, will be sat here in the future investigating complaints about me. Not because I've acted in an inappropriate manner

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

but because I'm Paul Cullen. I think that becomes intolerant and I think it will come to the point at which I'm no longer a Councillor and at that point I don't think it will be a Code of Conduct complaint, it will be a complaint to some other organisation about me. I'm disappointed with the way Ardip Kaur has failed to communicate with me. I'm disappointed in Frank McArdle's involvement, apparent involvement. You know, and I'm disappointed how the whole situation has been handled by South Derbyshire District Council. For the record, I still stand by one of my earlier comments I made when I first started that it's not a case of Do you think Willington Parish Council might be broke? Does it need fixing? It's beyond broke, it is an embarrassment because not only am I a Parish Councillor as we all are, we are all Parishioners as well. Willington Parish Council as it sits there today is short-changing the people of Willington as they are not getting an efficient and effective Council and I'm a part of that and I accept that. I don't think I've done anything, in terms of what I've been accused of today, I don't think I've done anything wrong but I am one of eleven Councillors who is part of an ineffective Council and I accept responsibility for that and that only.

MK – OK, we've covered off earlier on about whether there is any way back, so I won't revisit that. I just want to make one point about Frank McArdle. I don't know what Frank McArdle has done, nor do I know if the person who said to me that he has been involved even knows and I can't remember who said it. Ardip's the Monitoring Officer, I guess she reports to him but I don't know that. It could be that in the role of line manager, she's talked it through with him. He will not have made the decision. It would be Ardip's decision, but I have no personal knowledge whether he's involved or not. It's simply what's been repeated, so please don't conclude from what I said that he's involved because it's not like that.

PC – Yes, I understand that.

MK – Right, is there anything else you want to say Paul? It's now five to one now, we've been, as it were, at it for four hours now which is close on a record.

PC – I know there have been several emails exchanges between us and it has been an emotional time and I hope you would understand why but I'd like to thank you both for the way you've conducted yourselves today.

MK – Thank you and thank you for coming along and we appreciate it appears to have brought stress to you, we do encounter these things and sometimes it can be stressful for us.

KP – Can I just be clear if there is anyone else you want us to speak to? And I think this is why Melvin has been pushing for this meeting because we knew there would probably be some people to talk to. I have a note of Angela Budworth.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

PC – Angela Budworth is a Parishioner. I could reel off a few names, but you would want to talk to people, I guess, specifically about 77,76 or whatever. I can give you some names of people.

MK – We can talk to them about whatever it is, but we can also get a general background of what their perception is of what's going on. You can't do this job in a very narrow way because very often, it's the peripheral stuff that provides a context for you to investigate, if that makes sense.

PC – That makes perfect sense.

MK – Sometimes, it's like in your professional life, you read around the subject not just stick to that. Sorry, I interrupted you but yes, we would ask them specific questions, we wouldn't just go in and ask them to tell us what it's like at Willington parish Council, there would be a reason to hang a discussion around it.

PC – I suppose really, I was thinking about people who would be able to give you that general overview because they wouldn't know about the emails.

MK – Well, there would have been people present for example at the 24th September, wouldn't there?

PC – Yes.

MK – We could choose to do it anyway Paul.

PC – The 24th September?

MK - Yes, that Extraordinary meeting where you stood up. We're at liberty to talk to whoever we want to; we don't need your permission to do it but equally if there's anybody that you think it would be useful for us to talk to. Our concern is to get balance in this. I could very easily talk to you and then ten or twelve, fifteen people who provided the other viewpoint. We are keen to get balance and Karen's right to prompt me.

PC – Have you just spoken to complainants to date or have you spoken to complainants' witnesses? I suppose it matters not but what I'm trying to say.

MK – We've spoken to quite a few people Paul.

PC – Right so beyond complainants then I would suggest. They will give you their view. I think I've given you a reasonable account of myself. I think I've been able to answer your questions in a rational, logical way. Certainly, in Paul's world. I'm guessing that the only people I could bring to the table are the other than the other Parish Councillors who sit on the band of five would just have been there generally, I can give you some names.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – No, I think Karen’s talking about the band of five, I mean is there any reason why we wouldn’t talk to Tim Bartram, Ros Casey, Caroline Blanksy?

PC – I would absolutely, yes, I would encourage you.

KP – OK, absolutely, that’s fine. That’s what we were after, yes.

MK – What was concerning me when you was, why wouldn’t we talk to them?

PC – Yes, sure. There’s a lady called Bev Jane; she sits in the audience. There’s the lady who was there on the 24th September, Angela Budworth, I can get contact details but first of all I’d like to ask them if they will be prepared to talk.

MK – Yes, anybody who is not on the Council, I think you would have to act as an intermediary.

PC – No, other than that we’re pretty much there. I mean you can speak to my wife if you want.

MK – I’m not sure we should, I don’t think we should speak your wife or your dad actually.

PC – No, I don’t think my dad would speak to you.

MK – No, he made that clear last night.

PC – Oh, has he?

MK – Yes, but I shouldn’t have told you that.

PC – That’s OK, I’m sure he will tell me himself. That’s just the nature of the beast, it’s his decision. I think there’s people who would spring into my mind, would just give you I mean there’s people who congratulate me on trying to make the Parish Council more efficient and moving things forward, but they would not be of use to you because you’re looking at specific complaints. I just want to say one more thing and this is really important for me, is that several of the complaints we have discussed here today and you will determine and make your decision whether or not I was in capacity or not is that I don’t believe it was and I think that would be my overarching defence for them specific complaints and the reason for that is because I don’t think I had any other avenue to go to go down and if I was put in a similar situation in the future I think I would do the same thing, in terms of standing up and speaking in public participation. The content of what I may say may change from time to time but if there is no facility for me to respond and there isn’t, there isn’t a facility for a Parish Councillor to respond because you simply can’t do it because we haven’t discussed it as a Parish Council. What we can do is go away and talk about it and bring it back to another Parish Council Meeting which may be a way forward.

STANDARDS HEARING STATEMENT 08 – CLLR PAUL CULLEN

MK – But the alternative is to say nothing at the time, isn't it? You know, bite your lip.

PC – It depends which way the wind's blowing, it really does. I've taken many of these attacks personally, not that I've taken them personally, they are, when you're referred to as a scumbag and drug dealer and it's said to you and when the wife of that Parish Councillor starts attacking you and the mother of that ex Parish Councillor and starts attacking you, for Paul it was just enough and I felt that I had no option but to defend myself.

MK – OK Paul, thank you for your time.

PC – Thank you.

Meeting closed at 1.07pm