

PRIVATE AND CONFIDENTIAL

Report of an investigation by Wilkin Chapman LLP, appointed by the Monitoring Officer for Gedling Borough Council, into allegations concerning Councillor Paul Winfield of Calverton Parish Council.

8 June 2022

VOLUME 2 SCHEDULE OF EVIDENCE

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Appendix A

Schedule of evidence taken into account and list of unused material

Page	Number	Description
3	WC 1	Members' Code of Conduct
17	WC 2	Statement of Councillor Patricia Marks
34	WC 3	[REDACTED]
42	WC 4	[REDACTED]
47	WC 5	Statement of Councillor Lorraine Brown
52	WC 6	Email from Councillor Inger - 05.01.22
53	WC 7	Transcript of Interview – Councillor Paul Winfield
70	WC 8	[REDACTED]
72	WC 9	
73	WC 10	
74	WC 11	
173	WC 12	

List of unused material

Investigator's notes, file correspondence and drafts.

Members' Code of Conduct

PART 1

General Provisions

Introduction

1. (1) Gedling Borough Council is committed to promoting and maintaining high standards of conduct by Members and co-opted Members of the Council. The actions of those who represent the Council impact on how the Council as a whole is viewed. Misconduct can seriously damage the effectiveness and reputation of the Council and will not be tolerated. Those serving their communities must adhere to the high standards expected of them to promote public confidence in local democracy.
- (2) This Code of Conduct has been adopted by the Council under Section 27 of the Localism Act 2011 and sets out the standards that Members are expected to observe.

Interpretation

2. (1) This Code applies to you as a Member of the Council.
- (2) It is your responsibility to comply with the provisions of this Code. Failure to do so may result in a sanction being imposed by the Council. Failure to take appropriate action in respect of a disclosable Pecuniary Interest may result in a criminal conviction.
- (3) In this Code:
"meeting" means any meeting of:
 - (a) the Council;
 - (b) the executive of the Council;
 - (c) any of the Council's or its Executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"Member" includes a co-opted member or an appointed member.

Scope

3. (1) Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you:
 - (a) Conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Council;and references to your official capacity are construed accordingly.

- (2) Where you act as a representative of the Council:
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's Code of Conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- (3) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

The Seven Principles of Public Life

4. You must observe the following general principles:

Selflessness

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.

Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

Openness

You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You should promote and support these principles by leadership and example.

General Obligations

5. (1) You must:

- (a) treat others with respect, including the organisations and public you engage with and those you work alongside.
- (b) value your colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between you that is essential to good local government.

(2) You must not:

- (a) do anything which may cause the Council to breach the Equality Act 2010;
- (b) bully or harass any person.
The definition of bullying and harassment and examples of behaviour which amounts to bullying and harassment are set out in Appendix 1 to the Code of Conduct;
- (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant;
 - (ii) a witness;
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with the Code of Conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

6. You must not:

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the Council; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

7. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

8. You must not make trivial or malicious allegations that another Member has

failed to comply with the Code of Conduct.

9. You must comply with any formal standards investigation carried out in relation to an allegation that you have failed to comply with the Code of Conduct.
10. You must:
 - (a) not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
 - (b) when using or authorising the use by others of the resources of the Council:
 - (i) act in accordance with the Council's reasonable requirements; and
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes);
 - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986;
 - (d) behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.
11. (1) When reaching decisions on any matter you must listen to the interests of all parties and have regard to relevant advice provided to you by:
 - (a) The Council's Chief Finance Officer; or
 - (b) The Council's Monitoring Officer;(where that officer is acting pursuant to his or her statutory duties) and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- (2) You must:
 - (a) exercise independent judgement and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a member.
 - (b) contribute to making the Council's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding you and other members to account.
 - (c) be accountable for your decisions and co-operate when scrutinised internally and externally, including by local residents.
12. You must:
 - (a) champion the needs of residents – the whole community and your constituents, including those who did not vote for you – and put their interests first.
 - (b) deal with representations, or enquiries from residents, members of our

communities and visitors fairly, appropriately and impartially.

- (c) not allow other pressures, including your financial interests or others connected to you, to deter you from pursuing constituents casework, the interests of the Council's area or the good governance of the Council in a proper manner.

13. You must provide leadership by behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.

PART 2

Interests

Disclosable Pecuniary Interests

12.(1) You have a disclosable pecuniary interest in any business of the Council where it is of a description set out in paragraph 12(2) and either:

- (a) it is an interest of yours; or
- (b) it is an interest of your spouse or civil partner and you are aware that the other person has the interest; or
- (c) it is an interest of a person with whom you are living as husband and wife and you are aware that the other person has the interest; or
- (d) it is an interest of a person with whom you are living as if you were civil partners and you are aware that the other person has the interest.

(2) Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

Interest

Employment, office, trade, profession or vocation

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts

Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council:

(a) under which goods or services are to be provided or works are to be executed; and

(b) which has not been fully discharged.

For this purpose "body in which you or they have a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest. "Director" includes a member of the committee of management of an industrial and provident society.

Land

Any beneficial interest in land which is within the Council's area.

For this purpose "land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.

Licences

Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

Corporate tenancies

Any tenancy where (to your knowledge):

(a) the landlord is the Council; and

(b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest

Securities

Any beneficial interest in securities of a body where:

(a) that body (to your knowledge) has a place of business or land in the Council's area; and

(b) either:

i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil

partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Disclosable Pecuniary Interests in matters considered at meetings

13.(1) Subject to sub-paragraph (2) and (3), where you are:

- (a) present at a meeting of the Council; and
 - (b) have a disclosable pecuniary interest in any matter to be considered, or being considered at the meeting; and
 - (c) you are aware that you have such an interest, you must:
 - (i) disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council's register of interests of members and co-opted members or for which you have made a pending notification; and
 - (ii) not participate or participate further, in any discussion of the matter at the meeting; or participate in any vote, or further vote, taken on the matter at the meeting; and
 - (iii) in accordance with the Council's Standing Orders, withdraw from the room or chamber where a meeting considering the business is being held:
 - aa) in the case where sub-paragraph (3) applies, immediately after making representations, answering questions or giving evidence;
 - bb) in any other case, wherever it becomes apparent that the business is being considered at that meeting;
- unless you have obtained a dispensation from the Council's Standards Committee or Monitoring Officer.

(2) Where you have a disclosable pecuniary interest which by virtue of paragraph 19 is considered to be a sensitive interest, you must indicate to the meeting that you have a disclosable pecuniary interest in the matter concerned, but need not disclose the details of the interest to the meeting.

(3) Where you have a disclosable pecuniary interest in any business of the Council, you may attend a meeting (including a meeting of the overview and scrutiny committee of the Council or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

- (4) Where the interest is not entered in the Council's register of interests of members and co-opted members and is not the subject of a pending notification, you must notify the Council's Monitoring Officer of the interest in writing before the end of 28 days beginning with the date of the meeting.

Disclosable Pecuniary Interests in matters considered by a single member

14. (1) Where:

- (a) a function of the Council may be discharged by you acting alone;
 - (b) you have a disclosable pecuniary interest in any matter to be to be dealt with, or being dealt with, by you in the course of discharging that function; and
 - (c) you are aware that you have such an interest,
- you must not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).

- (2) Where the interest is not entered in the Council's register of interests of members and co-opted members and is not the subject of a pending notification, you must notify the Council's Monitoring Officer of the interest in writing before the end of 28 days beginning with the date when you became aware that the condition in sub-paragraph 14(1)(c) is met in relation to the matter.

Criminal offences relating to Disclosable Pecuniary Interests

15. (1) You will commit an offence if, without reasonable excuse, you –

- (a) Fail to notify the Council's Monitoring Officer within 28 days of your election of any disclosable pecuniary interests which you have at the time when the notification is given.
- (b) Fail to disclose a disclosable pecuniary interest in any matter to be considered, or being considered, to the meeting where that interest is not entered in the Council's register of interests of members and co-opted members.
- (c) Fail to notify the Council's Monitoring Officer of any disclosable pecuniary interest that you have disclosed to a meeting, where that interest is not already entered in the Council's register of interests of members and co-opted members or subject to a pending notification, before the end of 28 days beginning with the date of the meeting.
- (d) Are an executive member and you fail to notify the Council's Monitoring Officer of any disclosable pecuniary interest that you have in any matter to be to be dealt with, or being dealt with, by you in the course of discharging that executive function, where that interest is not entered in the Council's register of interests of members and co-opted members or subject to a

pending notification, before the end of 28 days beginning with the date that you became aware of such an interest.

- (e) participate, or participate further, in any discussion of a matter in which you have a disclosable pecuniary interest, or participate in any vote, or further vote, taken on any such matter.
- (f) Are an executive member and you take any steps, or any further steps, in relation to any matter to be to be dealt with, or being dealt with, by you in the course of discharging that executive function in which you have a disclosable pecuniary interest (except for the purpose of enabling the matter to be dealt with otherwise than by you).
- (g) Provide information that is false or misleading when notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting and you:
 - i. know that the information is false or misleading, or
 - ii. are reckless as to whether the information is true and not misleading.

Interests other than Disclosable Pecuniary Interests

Non-pecuniary Interests

16.(1) You have a non-pecuniary interest in any business of the Council where either:

(a) It relates to or is likely to affect:

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
- (ii) any body:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).of which you are a member or in a position of general control or management;
- (iii) any employment, office, trade, profession or vocation carried on by you not for profit or gain;
- (iv) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income;
- (v) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;

or

- (b) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of:
- (i) a member of your family or any person with whom you have a close association;
 - (ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (iv) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.

Disclosure of Non-pecuniary Interests

- 17.(1) Subject to sub-paragraph (2) to (6), where you have a non-pecuniary interest in any business of the Council and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a non-pecuniary interest in any business of the Council which relates to or is likely to affect a person described in paragraph 16(1)(a)(i) or 16(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the non-pecuniary interest.
- (4) Where you have a non-pecuniary interest but, by virtue of paragraph 19 it is considered to be a sensitive interest, you must indicate to the meeting that you have a non-pecuniary interest in the matter concerned, but need not disclose the details of the interest to the meeting.
- (5) Where you have a non-pecuniary interest in any business of the Council and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (6) In this paragraph “executive decision” is to be construed in accordance with any regulations made by the Secretary of State under Section 22 of the Local Government Act 2000.
- (7) Subject to paragraphs (8) and (9) below, if you have a non-pecuniary interest in any business of the Council you may participate, vote and remain in the

room or chamber where a meeting considering the business is being held unless your interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- (8) If you have a non-pecuniary interest in any business of the Council you may participate, vote and remain in the room or chamber where a meeting considering the business is being held where that business relates to the functions of the Council in respect of:
- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iii) an allowance, payment or indemnity given to members;
 - (iv) any ceremonial honour given to members; and
 - (v) setting council tax or a precept under the Local Government Finance Act 1992.
- (9) Where you have a non-pecuniary interest in any business of the Council in the circumstances set out in paragraph (7) above, you may remain in the room or chamber where a meeting considering the business is being held for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Gifts and Hospitality

- 17.(1) You must, within 28 days of receipt, notify the Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50.00 which you have accepted as a member from any person or body other than the authority.
- (2) Any gifts or hospitality notified to the Monitoring Officer will be included in the register of interests of gifts and hospitality.
- (3) The duty to notify the Monitoring officer does not apply where the gift or hospitality comes within any description approved by the Council for this purpose.

PART 3

Register of interests of members and co-opted members

18.(1) Subject to paragraph 19, you must, within 28 days of:

- (a) this Code being adopted by the Council, or
- (b) your election or appointment to office (where that is later),

register in the Council's register of interests of members and co-opted members (maintained under Section 29(1) of the Localism Act 2011) details of all disclosable pecuniary interests and non-pecuniary interests you have at the time the notification is given by providing written notification to the Council's Monitoring Officer.

- (2) Where you become a member or co-opted member of the Council as a result of re-election or re-appointment, sub-paragraph (1) applies only as regards interests not entered in the Council's register of interests of members and co-opted members when the notification is given.
- (3) You must, within 28 days of becoming aware of any new interests or change to any interests registered under paragraph (1), register details of that new interests or change by providing written notification to the Council's Monitoring Officer.
- (4) You are obliged to register details of disclosable pecuniary interests in accordance with paragraphs 13(4) and 14(2).
- (5) Any interests notified to the Monitoring Officer will be included in the register of interests of members and co-opted members.
- (6) A copy of the register will be available for public inspection and will be published on the Council's website.

Sensitive Interests

- 19.(1) This paragraph applies where you have an interest (whether or not a disclosable pecuniary interest) and the nature of the interest is such that you and the Council's Monitoring Officer, consider that disclosure of the details of the interest could lead to you or a person connected with you being subject to violence or intimidation ("sensitive interest").
- (2) If the sensitive interest is entered in the Council's register of interests of members and co-opted members, copies of the register that are made available for inspection, and any published version of the register, will not include details of the interest (but may state that you have an interest the details of which are withheld under Section 32(2) of the Localism Act 2011).
- (3) You must, within 28 days of becoming aware of any change of circumstances which means that an interest excluded under paragraph 19(2) is no longer a sensitive interest, notify the Council's Monitoring Officer asking that the interest be included in copies of the register that are made available for inspection, and any published version of the register.

Definitions and examples of behaviour which amount to bullying or harassment

Bullying may be characterised as behaviour, or an abuse or misuse of power in a way that undermines, humiliates, unfairly criticises or injures someone.

A non-exhaustive list of behaviour which amounts to bullying includes:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying correspondence that is critical about someone to others who do not need to know
- ridiculing or demeaning someone - picking on them or setting them up to fail
- exclusion - deliberately excluding someone from meetings or written correspondence in matters for which they have a responsibility or professional interest or deliberately excluding someone from events or celebrations that it would ordinarily be expected that they might legitimately attend
- victimisation - taking action detrimental to someone as a result of them raising a complaint or issue of concern in good faith through formal and correct procedure whether or not the complaint was upheld or proven
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances-touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- publicly criticising the work or efficiency of someone where the issue has not been formally raised with that person through proper process and the right of explanation or appeal has not been made available
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

A non-exhaustive list of behaviour which amounts to harassment includes:

- frequent unwanted contact, including texts, letters, phone calls, emails and communication via social media or any other electronic communication
- sending unwanted gifts
- driving past an individual's home or visiting them at work without legitimate purpose or following or watching an individual
- sharing humiliating information, lies or gossip about an individual
- making inappropriate comments, critical remarks or offensive jokes
- threatening behaviour
- excessive demands that are impossible to deliver
- making sexual comments or jokes or inappropriate sexual gestures
- making jokes or degrading or patronising comments or teasing an individual about their race, religion, age, gender, sexual orientation or disability. This would also amount to an offence under the Equality Act.

**STATEMENT
FRONT COVER**

Case Ref:	
Name:	Patricia Marks
Position Held	Councillor, Calverton Parish Council

wilkin chapman 

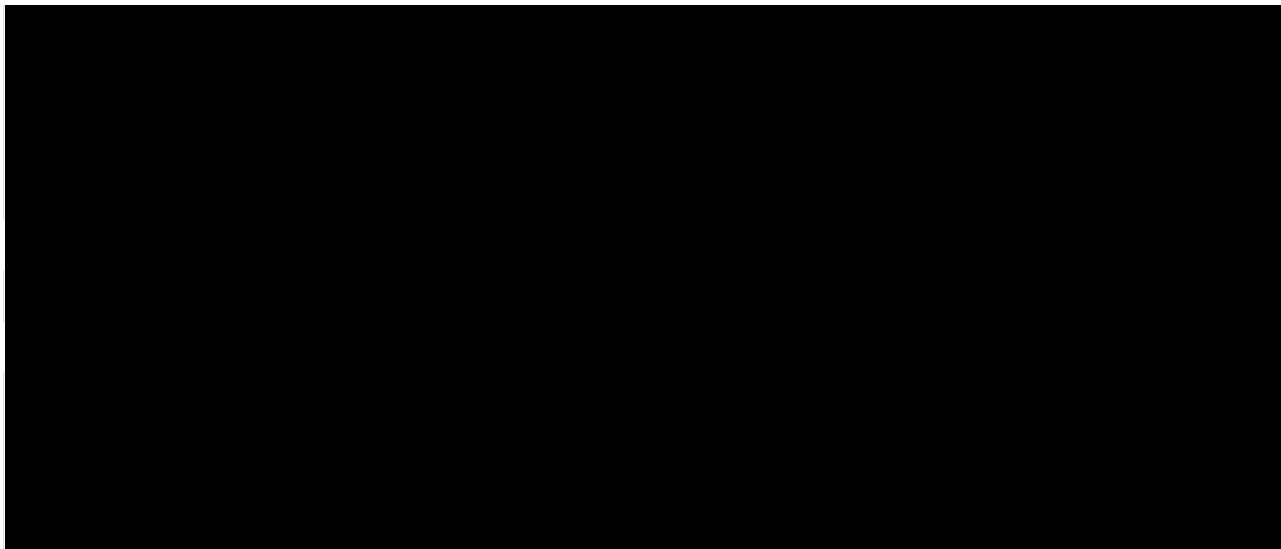
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STATEMENT of:- Patricia Marks

1. I am an elected Councillor on Calverton Parish Council (the Council). I was first elected around 2010 and I am now in my third term as a Councillor. I am currently an independent Parish Councillor.
2. Currently I am not on any committees but was previously on the Wildlife Group, which I instigated, and worked closely with the Nottinghamshire Wildlife Group where, at one time, I was the lead, I was also invited onto the Planning Committee, by the Chair of that committee to provide short term cover for one of the members who was going on holiday.
3. I am a member of Calverton Theatre Group and the Robin Hood Theatre at Averham as a Director of productions.
4. On 16th February 2020 I made a formal complaint via email to Francesca Whyley, Monitoring Officer of Gedling Borough Council, regarding Councillors [REDACTED] and Paul Winfield having failed to comply with Calverton Parish Council's Code of Conduct. On 19th June 2021, following an incident at Calverton Village Hall on 16th June 2021, I again contacted Francesca Whyley via email and provided additional information specifically in relation to the actions of Councillor Paul Winfield (see paragraphs 29 to 34 inclusive below).
5. [REDACTED]
6. I understand that Wilkin Chapman solicitors have been appointed to investigate my complaints against [REDACTED] Paul Winfield in respect of [REDACTED] failing to comply with Calverton Parish Council's Code of Conduct.

28.



29. On Wednesday 16th June 2021 I was in a working party meeting with Councillors Lorraine Brown and Joan Inger, who is a friend of Councillor Winfield. An hour into the meeting Councillor Winfield opened the door of the meeting room. I was about four feet away from him. Councillor Winfield pointed at me and shouted, *"You are a sad, sad woman. You sad woman"* and then left. Councillor Brown asked, *"What was that about?"* Councillor Inger said, *"Was it a code of conduct?"* I told them I did not know. I did think it related to my complaint against Councillor Winfield and thought that possibly he had just been made aware of my complaint, but I did not want to confirm that to Councillors Brown and Inger as complaints should be treated as confidential.
30. Ten minutes later Councillor Winfield came back, leaned into the room through the doorway and started shouting and pointing at me. He was red faced, and so angry and loud I could not tell exactly what he was saying. Councillor Inger went to the door and said, *"Paul, go away and calm down."* Councillor Winfield said, *"No, I'm not fucking going anywhere, don't you fucking shut this door."* I asked Councillor Inger four times to shut the door but she did not. Councillor Winfield was shouting over me, *"I'm not fucking going anywhere."* While Councillor Winfield was still shouting, I turned to Councillor Brown and said, *"I'm sorry Lorraine, you were witness to that, I'm sorry but I am going to have to leave."*
31. I felt physically intimidated as Councillor Winfield is a stocky man with an aggressive demeanour. I felt trapped and threatened as I was sitting down at the table close to Councillor Winfield, who was lunging towards me with his arms, but I could not get out of the meeting room because Councillor Winfield was in the doorway, so I stood up and walked around the other side of the table and went through the French doors onto the bowling green until Councillor Winfield had gone. I then came back into the meeting room and believed that

Councillor Winfield had gone into the small office, which I had to pass to leave the building. I said to Councillors Brown and Inger, *"If he touches me?"*

32. Councillor Winfield was, in a loud voice, reading to the Clerk, [REDACTED] what I believed was a complaint against him because I heard the name [REDACTED] mentioned. This further added to my thought that he had just found out about my complaint against him. On my way home I had to stop to compose myself because I did not want my husband to see me as upset as I was because I knew if he had seen how upset I was, he would have gone looking for Councillor Winfield.

33.

[REDACTED]

34. I did not seek confrontation, but Councillor Winfield has no respect for authority, and he cannot control his temper.

35.

[REDACTED]

36.

47.

48. The behaviour of [REDACTED] Winfield has had massive effect upon both my mental and physical health, [REDACTED] Not only myself, [REDACTED] have suffered disrespect (including libellous comments), bullying, harassment, intimidation and, [REDACTED] This behaviour is in the background every day for me and I've been on anti-depressants for 18 months now, prescribed because I was suffering panic attacks, to try and help me to cope with the stress they are causing me. [REDACTED] [REDACTED] I'm not sleeping very well as they are the last thing on my mind when I go to bed and, although I try to think of other things, they just come back into my mind all the time. They are the first thing on my mind when I get up in the morning. I have also lost weight due to the worry I am suffering from. I am still getting similar emails now and, if I answer them, I tend to get snide comments back. My family have asked me to resign but that's what they want, and I won't give in to their bullying behaviour that way.

49. I am well known in Calverton and feel that my integrity and character within the village has been attacked by their actions. I work in a Hospice Charity Shop [REDACTED]
[REDACTED]

[REDACTED]

50. I strongly believe that [REDACTED] Councillor Paul Winfield [REDACTED] not fit to hold the position of Parish Councillors.

51. [REDACTED]

I Patricia Marks declare that this statement is true and accurate to the best of my knowledge and belief.

Signed [REDACTED] Date ...20/12/21...

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wilkin chapman llp

STATEMENT of:- Lorraine Brown

1. I am an independent Parish Councillor for Calverton Parish Council (the Council). I was co-opted onto the Council some 9 or 10 months after the 2019 election following the death of one of the serving Parish Councillors.
2. I am responsible for signing cheques on behalf of the Council, and I lead the Community Projects Working Group, which comprises of myself and Councillors Pat Marks, [REDACTED] and Paul Winfield. Pat, [REDACTED] and I tend to be more involved in meetings and planning, whilst [REDACTED] and Paul do the heavy stuff, such as moving benches and other more physical tasks.
3. I have been asked about an incident which occurred at a meeting I attended on 16th June 2021. This is what I can say about that meeting.
4. The meeting that day was a Community Projects Working Group meeting which took place in the meeting room at the Village Hall. I had previously invited all members of the group, as listed in paragraph 2 above, to the meeting. Myself, Pat Marks and [REDACTED] were definitely attending, Paul Winfield had emailed me to say he would attend if he could and [REDACTED] was unable to attend as he was working away. The meeting that day would have started at either 12.30pm or 2.30pm but I am unsure of the start time on that occasion.
5. There is a small office at the Village Hall which is shared by the Village Hall Caretaker [REDACTED] and the Parish Clerk (either [REDACTED] or a lady called [REDACTED] at that time) if the Clerk is not working in their main office at the Parish Council offices. Occasionally the Park Keeper ([REDACTED]) used the office too.
6. On the day of the meeting I am sure that no-one else was present at the Village Hall when we arrived as [REDACTED] had opened the Village Hall with keys that she holds to let us in. We went through to the meeting room and [REDACTED] shut, but didn't lock the main entrance door. Once we were in the meeting room, its' door to the foyer area was shut but we opened one

set of the 2 sets of French doors that lead out to the bowling green to allow for airflow due to Covid-19.

7. The meeting room is rectangular in shape and, if drawn, has short sides at the top and bottom and longer sides to the left and right. The door into the meeting room is in the bottom left hand corner, on the short side, and leads into the room towards a number of chairs placed down the left side of a long rectangular table, which comprise of a number of smaller tables pushed together to make one large rectangular table. There are 5 or 6 chairs on each side of the table. Set into the longer right-hand side wall are the 2 sets of French doors which lead outside to the bowling green.
8. For the meeting the first chair on the left of the table (closest to the door) was empty, then Pat Marks sat in the second chair up, the third chair was left empty and I sat on the fourth chair up, with an empty chair, or chairs, after me. On the other side of the table the first and second chairs were empty, [REDACTED] sat in the third chair, leaving empty chairs after her. We sat like this to follow Covid-19 protocols.
9. I had produced a 5-year plan for the Village Hall and the William Lee Memorial Park relating to an application for funding for a wildlife area, and we were going through a list of items to make the Village Hall more community focussed.
10. We had been talking for a good half an hour or so and were discussing moving a bench, which had been vandalised, from one part of the village to another and were, therefore, discussing getting [REDACTED] and Paul to move that bench, when the door opened and Paul came into the meeting room. I thought that he had come to join the meeting and said to him, *"Your ears must have been burning"*, referring to the fact that we had just mentioned him and [REDACTED].
11. Having entered the meeting room Paul walked to his right towards the first of the sets of French doors, stopped behind the first empty chair on the right side of the table and touched the back of the chair. I assumed he was going to pull out the chair, sit down and join the meeting. He said, *"Yes, they are"*.
12. I would describe Paul as usually being a jovial character, but he can get stressed and is easily wound up. He did look to be stressed on this occasion. He looked at Pat and shouted at her across the table that what she had done was wrong and that she was being very silly. Paul was shouting at Pat. I think he called her a silly old lady, or a silly old woman, possibly with the "F" word included. He does use the "F" word, when he swears.

13. I couldn't understand what he was talking about. I thought he was there for our meeting and, at that time, I didn't know that Pat had made a complaint against him.
14. Paul then left the meeting room the same way he had come in, leaving the door open. [REDACTED] followed him out of the meeting room, and I heard her tell him to leave, and to calm down. I heard Paul say something like, *"How can I calm down when I've got this vindictive woman to deal with"*, assumedly referring to Pat.
15. [REDACTED] came back into the meeting room and was about to close the door when Paul appeared in the doorway. He appeared visibly wound up, upset and very angry and was shouting at [REDACTED] because she had told him to leave. He was also shouting that Pat had it in for him because she believed he was trying to get rid of [REDACTED] ([REDACTED] the Park Keeper at the time). Paul was again swearing whilst shouting at [REDACTED].
16. [REDACTED] ushered Paul into the foyer area and told him she would speak to him later, that she would ring him, and told him he needed to go home and calm down. After Paul had gone, [REDACTED] locked the main entrance door before returning to the meeting room.
17. [REDACTED]
18. While [REDACTED] was in the foyer dealing with Paul, I was talking to Pat as she was visibly upset, and I was trying to calm her down. She was saying things under her breath, but I couldn't hear the actual words she was saying. I offered her a glass of water or a cup of tea, but she declined both. Pat also packed up her paperwork, which she had had out on the desk for the meeting, into her bag. I think that at one point Pat got her mobile phone out of her bag, but then didn't use it. I told her to wait 5 minutes to make sure that Paul had gone, and to compose herself as she had to drive herself home. Pat appeared to be really upset and shocked. I told her I was really sorry about what had happened.
19. When [REDACTED] came back into the meeting room there was a brief discussion. Pat said she was sorry that this had happened, and I think she also said, *"Sorry you had to witness that"*. [REDACTED] then offered to check that Paul had gone before letting Pat out of the main entrance, where we then watched Pat get in her car and drive away.

CONFIDENTIAL DRAFT REPORT

20. To my knowledge no-one else was present at the Village Hall throughout the incident although, as I stated in paragraph 6 above, [REDACTED] did shut, but didn't lock, the main entrance door as we all entered the Village Hall on arrival. I have since been advised that [REDACTED] was in the office working, however, I did not see or hear him.

I Lorraine Brown declare that this statement is true and accurate to the best of my knowledge and belief.

Signed

[REDACTED]

Date..10 Jan 2022.....

Councillor Brown (Jan 10, 2022,
12:57pm)

From: Joan <cllrjeinger@calvertonpc.org.uk>
Sent: 05 January 2022 10:05
To: Dave Hayward
Subject: [EXTERNAL] Re: (107695/3) - Investigation - Councillors Winfield and Meads

This Message originated outside your organisation.

Morning Dave Hayward
 Happy new year

Answer to your question

1. Regards to Mrs Pat Marks complaint

2. I have been on council for 4 1/2 years

3. Additional responsibilities as a councillor.

Cheque signing ,new cemetery group,Allotments group ,community group,cover for village hall sickness absent ,

4. Meeting on 16 June 2021 yes I was present at this meeting with Mrs Marks and Mrs Lorraine Brown,

5 Meeting. Was for Community management plan ,

6 Yes Mr Paul Winfield did open door to the Meeting

7 Mr Paul Winfield opened the door and straight away said YOU SAD SAD WOMAN he repeated this , Myself and Lorraine and Pat look at one another not sure at first who

Mr Paul Winfield was referring too then I realised ,

8 Mr Paul Winfield did come back to the doorway due to his frustration of what information he had just received by post a code of conduct letter which Paul and his wife was very upset to the underhand way this had come to him after a lot of help he and his wife had assisted with Mrs Pat Marks family [REDACTED] in the passed.

9. /10.

Yes I did ask Paul to calm down also asked him what had happened he said he was not going anywhere so don't shut the door ,Paul did say again she is a vindictive sad sad woman

Mrs Pat Marks did ask me to shut the door ,

Mr Paul Winfield did say I'm not Fucking going anywhere this was not Aimed at any one person .

11

No Mr Paul Winfield did not lung towards Mrs Pat Marks ,

I did keep saying to Paul calm down ,

I would just like to say I have known Mrs Pat Marks for 50 years but over the last 2 years a lot of issue have come to council regrading [REDACTED]

Mr Paul Winfield I have known him with living in calverton but since he has come on parish council ,I have work with Paul on a lot of voluntary work for the village , he can be very out spoken and verbal so some people aren't happy, but are quite happy to ask for his help has Mrs Pat Marks as done in the past ,

Kind regards

Mrs Joan Inger

Gedling Borough Council

Interview Date: 10.01.2022

Interview Transcript – Councillor Paul Winfield

PW = Councillor Paul Winfield

DH = Dave Hayward

DH Okay, right, so we started recording err now erm and at the right, also at the right hand side of the screen there's a transcript of us, us talking as well erm, what will happen Paul before I introduce this, so what, the, the, the I'm gonna talk to you now, have a conversation with you now, this is recorded, erm and at the end of which erm we'll produce a transcript of the recording and send it through to you to check and make sure you're happy with that but you'll also have the option to go back onto the Teams and listen to the recording yourself, okay

PW Yeah

DH so there's both ways there, but we'll actually do a transcript and send that, send that through to you, erm the time is erm almost quarter past 10 on the 10th January 2022 and, and my name's Dave Hayward erm with Wilkin Chapman Solicitors and I'm erm having a conversation, interview with err Councillor Paul Winfield from Calverton Parish Council, erm as you know Paul we've been instructed by the Monitoring Officer for Gedling Borough Council, erm to investigate a complaint erm made by Councillor Patricia Marks, erm and it's that that I want to erm talk to you about today

PW Okay

DH Erm, before we go into that erm, how long have you been a Councillor Paul?

PW Err I joined the Council in the May 19 after the elections but erm that wasn't my first, I, we have a meeting tomorrow and when I attend that meeting tomorrow, I'll be the only councillor sat in that room that has attended every meeting since January 2017, even when I weren't a councillor I have gone to every single meeting, extraordinary meeting, anything

DH Okay

PW I had two years of watching and learning before I even

DH Okay

PW put myself forward and I put myself forward, ha, bizarrely at the request of the people that are now complaining, as well as some local residents

DH Okay

PW The local residents who contact me about various things are well aware, what can I say, I'm cut from a different cloth to most councillors err on this parish council and a lot of the local residents are well aware that I'm not a person that'll give them an answer they want to hear or sit on something if I think it's uncomfortable, I'm, erm, whether it's because I was once a miner, I don't know, but I like to be straight John Bull

DH Okay

PW and erm

DH and, and

PW and it gets me into bother I know it does, but that's just the way I am

DH And, so, you're, you're elected in erm May 19, erm, in over and above being a parish councillor do you have any other responsibilities within the council?

PW Err yeah, I'm the erm, I'm the emergency contact number for the office, for the village hall and for the park erm they also made me lead on the HR group and I do allotment inspections

DH Okay, okay and in respect of the Council itself how many officers are there as in office staff?

PW There's 15 councillors

DH Yeah

PW 3 members of staff in the office and 2 members of staff that are erm caretakers come groundkeepers, because we erm restructured, we used to have separate caretakers and separate groundsmen but err we farmed some of the jobs out to Gedling Borough cause of the complaints we was getting about some of the upkeep of some areas and err sort of amalgamated the two jobs

DH Okay and who has the line management of the offices, who looks after them?

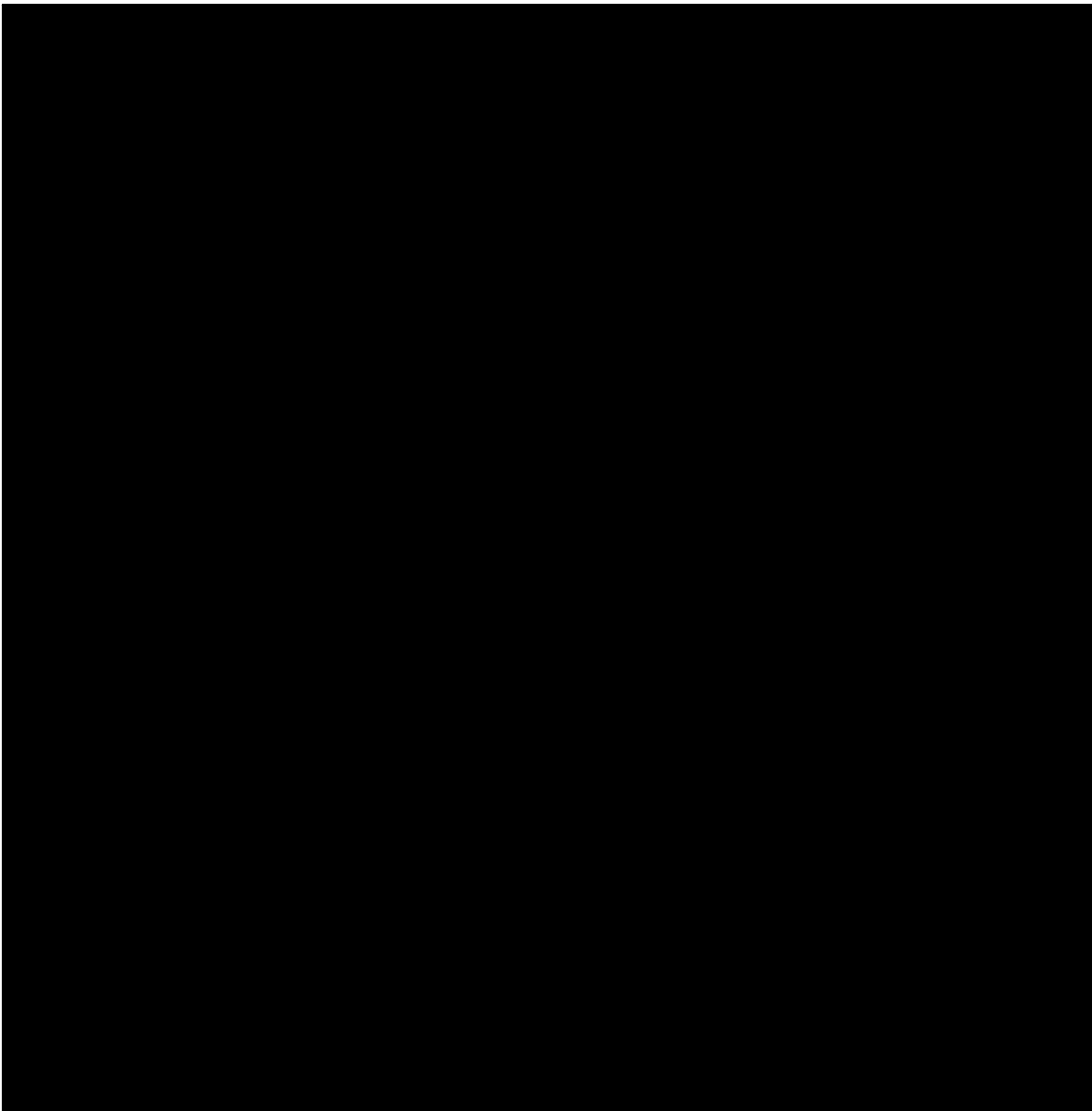
PW At the moment the line manager is Councillor Meads

DH Okay

PW Erm because erm, mainly because erm we sort it in-between clerks and err so erm we have a locum clerk and his assistant but as we was, as one clerk left, err the last clerk, lady clerk left erm the council voted for Mr Meads to take line management, whatever, for the time being, normally it falls to the Clerk or that's how I understand it

DH

PW



DH

PW I would love, previously as a member of the public, I meant the previous Monitoring Officer, I would love to have a face to face with this Monitoring Officer and with my accusers in the same room because they soon change their tale, they'll soon change their tale if they've got to sit in front of me

DH

PW

DH

PW

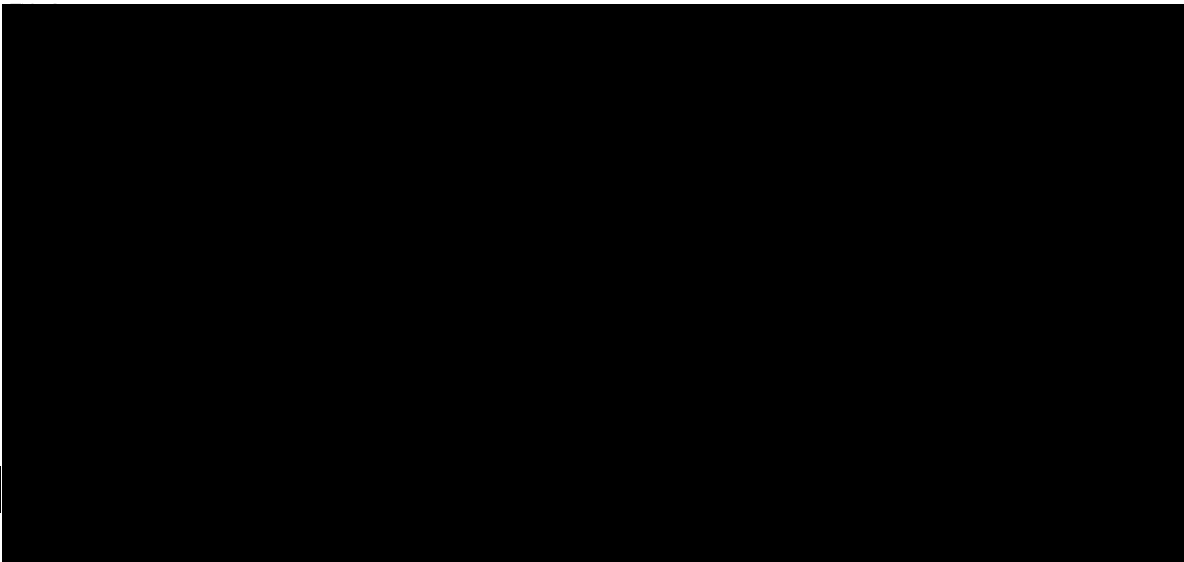
DH

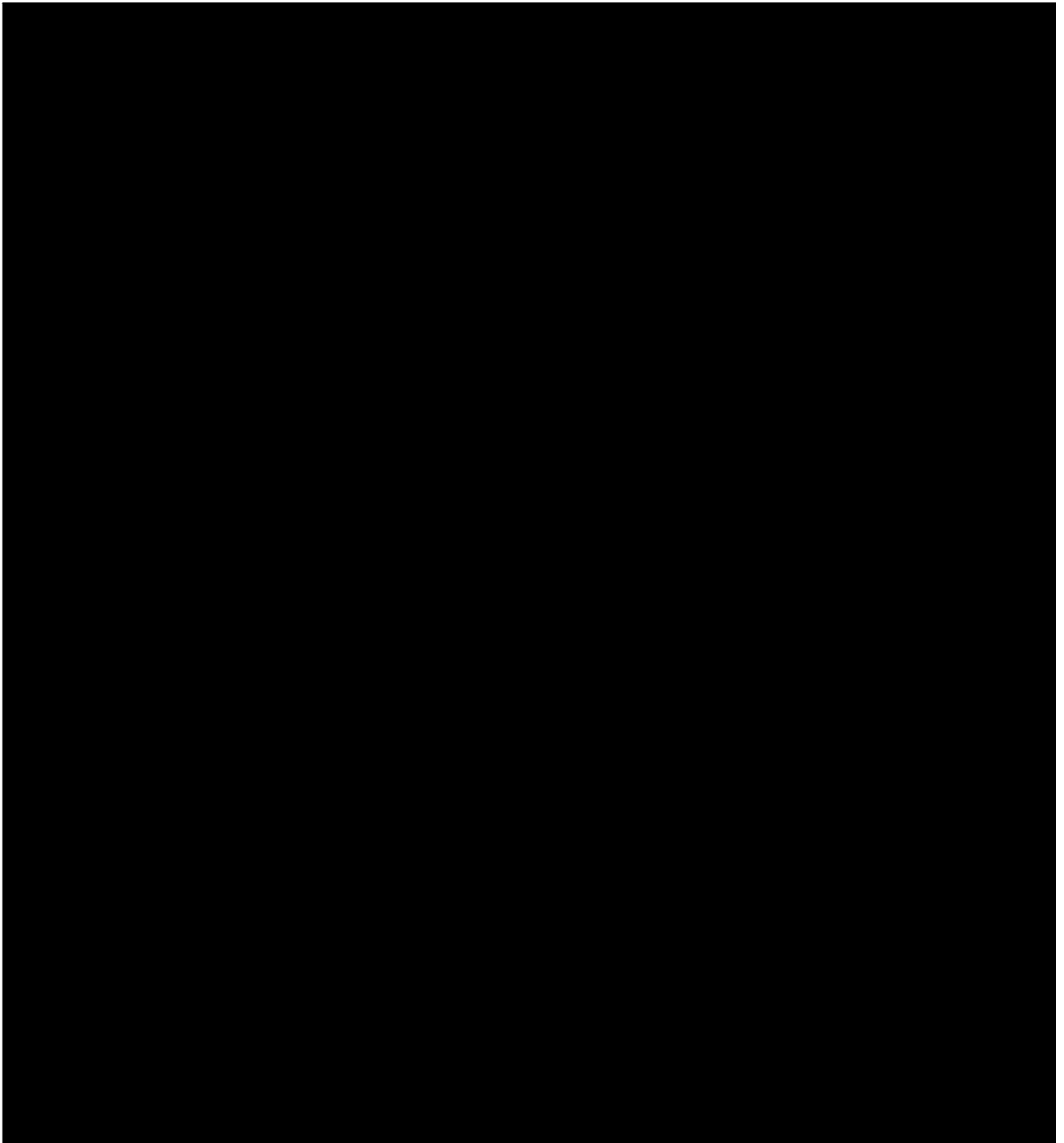
PW

DH

PW

DH





DH Can I talk to you about erm this incident on the 16th June erm when Councillor Marks talks about a working party with Lorraine Brown and Joan Inger

PW Yeah

DH Erm an hour into the meeting Councillor Winfield opened the door of the meeting room erm, Councillor Winfield pointed at her and shouted 'you are a sad, sad woman, you sad woman' then left erm, I think it goes on to say 10 minutes later you came back leaned into the room through the doorway and started shouting and pointing at Councillor Marks, she alleges that you were red-faced and angry and Councillor Inger went to the door and Inger spoke to you and asked you to go away and calm down and you said 'no, I'm not fucking going anywhere, don't fucking shut this door' erm you

continued saying 'I'm not fucking going anywhere' erm, what was that, what was that concerning?

PW That was, I'll tell you when that was, I could tell you, just a minute, shut up will you, the Mrs is typing it, she's not in the room but she can hear, that was erm the day that I received this code of conduct and I kept away, I'm on this group and I'd purposely kept away so that Mrs Marks didn't get upset with my attendance but when this came through the door, I was angry and I did go and tell her that she was a sad, sad woman, which I believe she is, to go this way, why can't you just thrash it out? And then I get, [REDACTED] was in the village hall at the same time in the office, working in the office and as I went to leave erm I believe [REDACTED] was there at one point and err he shouldn't be there because he wasn't on duty and erm that was, that was when I was told that Pat said I won't be there much longer and I, and I did open the door and I said to her erm, what did I say to her, I said something along the lines 'explain yourself, why have you had to do this?' and Councillor Inger did say 'oh go on Paul go away and calm down' this, that and the other, and I said, I may have sworn I can't remember but I, I, I just wanted her to explain why she had to go this route, why we couldn't have a conversation about things

DH Okay

PW I mean erm

DH Did you

PW

DH Erm, are you erm, Paul erm I mean have you had any code of conduct training?

PW Erm we did some training when we first went on but err apart from that I haven't done nothing specific since we first went on to the council

DH You know a part of the code of conduct that your council is signed up to is that you must not intimidate or attempt to intimidate any person who's likely to be a complainant, a witness involved in the administration of any investigation or proceedings, obviously you know you've had a complaint about it, did you consider your behaviour as intimidating?

PW No more than what I've received to be honest with you, would you try and intimidate if someone is stood on your yard telling you they're gonna kill you? Would you try and intimidate if someone is stood there telling you you're not gonna be there any longer?

DH But the question is about your conduct on that morning as a result of receiving that complaint by Councillor Marks?

PW Well no, erm, I don't know some would see it that way, I don't see it that way, I wanted to clear the air and no what the problem was erm, I mean, I've err, Councillor Marks doesn't like the fact [REDACTED]

don't let that happen, just don't let that happen and I, I don't know I'm, I'm I get angry
and I get frustrated that you just, people can't talk, talk about things, erm

DH But Councillor Marks has

PW

DH

PW

DH

PW

DH

PW

DH

PW

DH

PW

DH

PW

DH [UNCLEAR 01:06:01]

PW No, I've considered I've been bullied

DH Okay and do you, do you think that erm any of your behaviour has brought the council into disrepute?

PW

DH

PW

DH

PW

DH

PW

DH

PW

DH

END OF RECORDING

I certify that this is an accurate record of my interview with Dave Hayward on 10 January 2022.

Signed

Dated