

IN THE MATTER OF A BREACH OF THE EFL REGULATIONS

BETWEEN:

THE FOOTBALL LEAGUE

The EFL

- and -

DAVID PATON

The Respondent

AGREED DECISION

Introduction and Factual Background

1. This is an Agreed Decision pursuant to EFL Regulation 86. Pursuant to regulation 86 I have been appointed on 5 April 2023 under the same process as would apply to the Chair of a full Disciplinary Panel under regulation 91. Both parties consent to my appointment.
2. The EFL conducted an investigation into the Owners' and Directors' Test Declaration for the Respondent, which was submitted to the EFL by Peterborough United Football Club in relation to the Respondent's appointment to the role of Chief Executive Officer at the Club.
3. As a result, the Respondent was charged with failing to comply with Rule 2.6 of Appendix 3 of the EFL Regulations (the "**Charge**").
4. The relevant Rule provides:

2.6 *A person who proposes to be a Relevant Person may not do anything that brings them within the definition of a Relevant Person, and the Club may not permit them to do anything that brings them within that definition, unless and until the Club has received confirmation from The League in accordance with Rule 2.5(c) that as far as The League is aware the person is not subject to any Disqualifying Condition.*

5. The Respondent has admitted the Charge on 4 October 2022.

Agreed Decision and Sanction

6. Regulation 86 allows the EFL and a Respondent to enter an Agreed Decision where it is appropriate in the circumstances to conclude a matter effectively and equitably without referring the matter to a Disciplinary Commission.
7. Accordingly, the EFL Board invited the Respondent to consider the following proposed sanctions in respect of the Charge:
 - a. a ban from being a Relevant Person in relation to any EFL Club for a period of two years, starting from the date on which the Respondent was suspended by the Club (19 May 2022);
 - b. the Respondent agrees to bear the costs of the ratification of the Agreed Decision; and
 - c. the Agreed Decision is to be published on EFL.com,together the “**Proposed Sanctions**”.
8. I have been informed that the Respondent accepted the Proposed Sanctions on 4 April 2023.
9. The parties agree that entering into this Agreed Decision shall not constitute a waiver by the EFL of its rights or remedies (however so arising) in respect of any future breaches of the EFL Regulations by the Respondent.

Signed electronically by Katherine Apps KC on 5 April 2023

**39 Essex Chambers
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