

**Complaint by Sarah Dines MP against
Paul Wilson, Chief Executive of Derbyshire Dales District Council;
Tim Braund, Director of Regulatory Services; and
Rob Cogings, Director of Housing**

Summary

This complaint relates to the professional misconduct of the Chief Executive of Derbyshire Dales District Council, Paul Wilson; Tim Braund, the then Director of Regulatory Services; and Rob Cogings, Director of Housing, in bringing the reputation of the District Council into disrepute in the course of their involvement in the Hasker Farm scandal by knowingly entering into a six-figure, ten-month business relationship with Mr [redacted], a convicted career criminal with links to organised crime still subject to a Proceeds of Crime confiscation order, and then continuing with their business relationship with him after having been made publicly aware of his criminality. These officers were responsible for an appalling failure in good governance and lack of transparency at the Council. They were also party to professional negligence and failures in due diligence in failing to keep records of meetings and financial discussions with Mr [redacted] and failing to carry out statutory identity checks to legally identify with whom they were doing business. Mr Wilson also misled me and independent investigators in stating that none of his officers knew they were in a business relationship with a convicted criminal. The Chief Executive and his officers also failed in their duty of care for the safety of the elected Councillors they serve and the Council employees who work for them by involving them in a business deal with someone involved in organised crime, several of whom openly expressed concerns about their personal safety. They also failed in their financial duty of care to the Council and their requirements to ensure good stewardship of public money. The District Council spent ten months negotiating to purchase a piece of land being offered by someone (whose identity these officers never verified as required by law and best practice) selling it on behalf of someone else, who Council officers never met, spoke to or in any way communicated with, whose identity was similarly never verified as required by law and best practice, who never provided any written authorisation for the property to be offered for sale in the first place, and who may or may not have himself been the real owner. There are serious questions to be answered.

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- Introduction

Following the findings of East Midlands Councils' investigation into the Hasker Farm scandal, published on 19 December 2023 as *The Report of the independent investigation into complaint made to Derbyshire Dales District Council by Paul and Ania Williamson and the Hasker Farm Committee, as submitted on 27th September 2023*, an investigation carried out by East Midlands Councils at the request of the Derbyshire Dales District Council¹, I wish to formally complain, both as the elected Member of Parliament for Derbyshire Dales and as a Derbyshire Dales resident and Council Tax payer, about the misconduct of the Chief Executive, Paul Wilson, and several other senior District Council officers in the course of their involvement in the Hasker Farm issue.

As is now public knowledge the complaint by Mr and Mrs Williamson related to a six-figure² ten-month commercial engagement from May 2022 until 20 February 2023, by senior Council officers, including but not limited to the Chief Executive, Paul Wilson, Tim Braund, the Council's then Director of Regulatory Services, Rob Cogings, Director of Housing and Mike Galsworthy, Estates and Facilities Manager at the Council, with [redacted], a twice-convicted career criminal drug dealer, with a background in organised crime and subject to a live Proceeds of Crime confiscation order, with a view to acquiring land for a permanent Traveller site at Hasker Farm, Stainsborough Lane, Callow, in Derbyshire Dales. Allegations that the senior officers at the heart of the business negotiations with the criminal vendor were aware of his involvement in crime were vigorously denied by the Chief Executive to me at the time, only to be confirmed by evidence revealed in the course of the East Midlands Councils' investigation.

The Hasker Farm project involved extensive un-minuted, unrecorded and undocumented discussions and negotiations between senior Council officers and the criminal vendor, multiple undocumented site visits by senior officers and meetings between senior officers and the vendor at the Council Offices, un-minuted and undocumented six-figure financial negotiations and offers, the provision of detailed architectural plans which were revised five times, surveys and valuations from land agents, detailed costed designs as well as site visits by engineers from Severn Trent Water and the National Grid.

The East Midlands Councils' investigation made several findings arising out of the allegations made in Mr and Mrs Williamson's complaint, namely a "Lack of transparency and good governance" and "missing paperwork" at Derbyshire Dales District Council. The Investigation also found that there was "Prior knowledge of convictions and of involvement in organised crime" on the part of senior Council officers in respect of [redacted] with whom they were negotiating a six-figure business deal on behalf of the Council. At paragraph 6.145, the Report states that "all those we interviewed acknowledged the reputational damage to the Council of being associated with a known criminal".

¹ It should be noted that while Mr and Mrs Williamson found the Report informative in a number of the findings that it made, they have placed on record their concerns about a number of serious structural and procedural flaws and errors in fact and omissions in the East Midlands Councils' investigation.

² The prospective vendor stated to the Hasker Farm residents that he had been offered £160,000 for the land in question. The District Council admits to "maybe" offering up to £100,000. The Hasker Farm project was costed in total at between £575,000 and £635,000.

The Council also found a “Lack of enforcement of planning permission breaches” on the part of the Council and officers relating to the criminal in question, something which would be pointed to as further evidence of a cosy relationship between Council officers and the criminal with whom they were doing business. It also became clear from the East Midlands Councils’ Report that despite having been able to contact the criminal vendor on a regular basis and meet him for a range of business negotiations, either on site at Hasker Farm or at the District Council offices, as well as regular telephone calls between the prospective vendor and District Council officers, District Council officers were then unable to contact or locate him in order to serve him with planning enforcement notices.

In conclusion, the East Midlands Councils’ investigators damningly stated that this lack of transparency and good governance had led to a “climate of suspicion” over Derbyshire Dales District Council.³

It is important to note that the establishment and delivery of a permanent Traveller site in the Derbyshire Dales as identified by elected Councillors was designated a specific action and key aim of the District Council in the Council’s Corporate Plan 2020-2024, as agreed by the Council on 5 March 2020.⁴ It was a very high – perhaps the highest – priority issue for elected Councillors, the Chief Executive and Council officers in recent years. The absence of a permanent site had caused a number of problems for elected Councillors and officers as well as local residents and the Traveller community. The then Leader of the Council had declared that finding such a site would be his political legacy.⁵

I had been aware of the need for the District Council to fulfil its statutory requirement to establish a permanent Traveller site with Derbyshire Dales very shortly after being elected as the Member of Parliament in December 2019. I had repeatedly pressed the Leadership of the District Council to establish such a site. The allocation of temporary Traveller sites had served neither the interests of the Travellers nor residents well, something reflected in my constituency postbag and email inbox.

My complaint is based on the Derbyshire Dales District Council Constitution, the Council’s *Employee Code of Conduct* and the code of conduct for those in public life that has come to be known as the Nolan Principles:

“1.1 Selflessness – Holders of public office should act solely in terms of the public interest;

³ *The Report of the independent investigation into complaint made to Derbyshire Dales District Council by Paul and Ania Williamson and the Hasker Farm Committee, as submitted on 27th September 2023*, East Midlands Councils, 19 December 2023, p. 13, para 6.16.

⁴ *Member Briefing*, Derbyshire Dales District Council, June 2022.

⁵ See, ‘Private agreement WAS struck between leadership of Derbyshire Council and popular tourist attraction over Gypsy family’, *Derbyshire Times*, 9 March 2023, <<https://www.derbyshiretimes.co.uk/business/private-agreement-was-struck-between-leadership-of-derbyshire-council-and-popular-tourist-attraction-over-gypsy-family-4058087>>.

1.2 Integrity – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships;

1.3 Objectivity – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias;

1.4 Accountability – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this;

1.5 Openness – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing;

1.6 Honesty – Holders of public office should be truthful;

1.7 Leadership – Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.”⁶

The Constitution of Derbyshire Dales District Council states that the Chief Executive of the Council is accountable for “Overall corporate leadership and operational responsibility (including overall management responsibility for all employees)”. In respect of the Chief Executive, Mr Braund and Mr Cogings, the Council’s *Employee Code of Conduct* states that “The public is entitled to expect the highest standards of conduct from all Derbyshire Dales District Council employees.” Section 2 *Standards*, paragraph 2.1 states that Council employees “are expected to give the highest possible standard of service”. Section 11 *Stewardship and Use of Resources*, paragraph 11.1 states “You must ensure that you use public funds entrusted to you in a responsible and lawful manner . . . You should strive to ensure value for money to the local community and to avoid legal challenge to the Council.”

Derbyshire Dales District Council states that it “is committed to applying the seven core principles of good governance set out in the CIPFA/SOLACE framework.” CIPFA is the Chartered Institute of Public Finance and Accountancy, and SOLACE is the Society of Local Authority Chief Executives and Senior Managers. These principles include

“Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law; Ensuring openness and comprehensive stakeholder engagement: Defining outcomes in terms of sustainable economic, social and

⁶ See, *The Seven Principles of Public Life*, 31 May 1995, available at <<https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>>.

environmental benefits: Determining the interventions necessary to optimise the achievement of the intended outcomes: Developing the entity's capacity including the capability of its leadership and the individuals within it; Managing risks and performance through robust internal control and strong public financial management; Implementing good practices in transparency, reporting and audit to deliver effective accountability."⁷

The Derbyshire Dales District Council *Employee Code of Conduct* states with regard to employees that "Your duty is to serve the Council as a whole in providing advice, implementing its policies and delivering services to the local community. In performing your duties, you must act with integrity, honesty, impartiality and objectivity."⁸

In light of the findings of the East Midlands Councils' report and other evidence I present in this complaint, it is clear that the Chief Executive, Paul Wilson, Mr Braund and Mr Cogings and others who have subsequently left the employment of the Council have fallen very far short of the professional standards and values, as outlined above, that they were collectively and individually duty-bound to uphold.

I emailed Mr Wilson on 24 March 2023 stating that the reputational damage to the District Council of its commercial involvement with a twice-convicted drug dealer with a history of involvement in organised crime "would have been blindingly obvious to any local government officer". Mr Wilson responded on 27 March agreeing with me: "as you quite rightly state, 'the reputational damage to the council would have been blindingly obvious to any local government officer . . .' It was blindingly obvious to me". [My Emphasis]

Given that the East Midlands Councils' investigation made a finding (at paragraph 6.59) that it was clear that both Mr Braund and Mr Cogings did know about Mr [redacted]'s criminality, that the investigation stated further (at paragraph 6.54) that Mr Braund told the investigators that he had informed Mr Wilson of this fact, and that it is obvious that other senior District Council officers also knew that the Council was in a business deal with a criminal – and that there were obvious attempts to cover this up (not least of which by attempts to mislead me) there was a staggering failure in corporate good governance, honesty and leadership at Derbyshire Dales District Council. Neither did the Chief Executive and his officers act with integrity or transparency.

As is outlined in the course of this complaint, the lack of judgement on the part of the Chief Executive, Mr Braund and Mr Cogings is compounded by clear evidence that despite having been publicly made aware on 26/30 January 2023 that the District Council was commercially involved with a twice-convicted drug dealer – in this case someone they already knew to be a criminal and the "blindingly obvious" reputational damage to the Council of such an

⁷ See, *Code of Corporate Governance*, Derbyshire Dales District Council, <<https://www.derbyshiredales.gov.uk/your-council/policies-plans-and-strategies#h1>>.

⁸ See Constitution of Derbyshire Dales District Council Code of Conduct, Derbyshire Dales District Council, <<https://democracy.derbyshiredales.gov.uk/documents/s8640/Part%205%202023%20-%20Codes%20and%20Protocols%20-%20approved%20on%202023-09-29.pdf>>.

engagement – these officers continued to progress the Hasker Farm project, seeking, *inter alia*, to ensure vehicle access to the prospective Traveller site at Hasker Farm, and even sought to make obtaining planning permission easier, well into February 2023.

These officers were also corporately and individually professionally negligent in not keeping minutes or written records of the many meetings held between senior officers and the criminal vendor, including meetings in which several financial offers by the District Council were made and discussed. This was described as “missing paperwork” by the investigators.

There was also a key failure on the part of the Chief Executive and this senior officers to follow even the basic legal due diligence requirements to establish the identity of those persons with whom it was entering in a business relationship, as outlined as best practice in *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*, and related legislation. The District Council has seen fit to post these regulations on the District Council website and they are regulations with which experienced local government officers should have been familiar.

1 A Failure in Leadership and Good Governance

At the heart of leadership is taking responsibility for decisions made either personally or collectively by a team working under the leader’s management. The Chief Executive, Mr Wilson, has conspicuously failed to do so in respect of the failed Hasker Farm project. Several aspects of the Hasker Farm issue and how it was handled must be underlined. The Corporate Leadership Team at the District Council is very small. The search for a permanent Traveller site for Derbyshire Dales was a key priority for the Chief Executive and Leader of the Council. A great deal of work went into the Hasker Farm project and the Chief Executive briefed the Leader and Deputy Leader of the Council on its progress at their regular weekly or fortnightly Council Leadership meetings. Cllr Susan Hobson, the Deputy Leader of the Council confirmed that “The issue was a regular item on the agenda.”⁹

Far from proving leadership, when pressed on key aspects of the Hasker Farm project, Mr Wilson side-stepped key queries. For example, when asked by East Midlands Councils’ investigators whether Mr [redacted] was “empowered to speak on behalf” of the person whose name was actually on the Title Deed of the land the District Council was negotiating to acquire, an issue at the heart of the sale of land for the proposed Traveller site, and something which would doubtlessly have been discussed right from the start of the project, Mr Wilson avoids answering, stating that “Rob Cogings and Tim Braund will be able to answer more specifically”. When asked by the investigators “Is it normal practice to have those discussions with someone who doesn’t own the land?”, Mr Wilson states: “I don’t know the answer to that – Mike Galsworthy could answer.”¹⁰ Yet, when asked by the investigators “At what point did you realise that [Mr [redacted]] wasn’t the landowner?”, Mr Wilson responded: “The day after checking the land registry.” That is to say that Mr Wilson was aware that [redacted] was

⁹ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 2

¹⁰ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 4.

not the owner of the land he was trying to sell in May 2022, at the very start of the District Council's engagement regarding the proposed Hasker Farm site. As a professional executive local government officer he would have been professionally negligent not to have drilled down on the ownership issue. For whatever reason Mr Wilson was clearly content to proceed despite a very questionable ownership issue, and when pressed on the issue by the investigators, he pointedly sought to leave it to others explain away the puzzling decision to progress the deal.

Derbyshire Dales District Council states that "Corporate governance is about making sure that the council is run properly."¹¹ As outlined in the introduction to this Complaint, the District Council is publicly committed to following "the seven core principles of good governance" as set out in the CIPFA/SOLACE framework. These principles include

"Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law; Ensuring openness and comprehensive stakeholder engagement . . . Managing risks and performance through robust internal control . . . [and] . . . Implementing good practices in transparency, reporting and audit to deliver effective accountability."

CIPFA/SOLACE also note that

"governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner."

By the values and conduct outlined above, the Chief executive, Mr Wilson, failed in his responsibility to ensure good governance at Derbyshire Dales District Council. The Council was quite clearly not "run properly" in respect of the Hasker Farm project. In the Hasker Farm scandal, under his watch, the Chief Executive and the Council did the wrong thing, the wrong way, with the wrong people in an opaque and unaccountable way and then tried to cover up having done so by allowing an inaccurate and misleading explanation for the project not going ahead to be released to the public.

The Chief Executive bears ultimate responsibility for the East Midlands Councils' investigation's findings of a "Lack of transparency and good governance" and the associated "Missing paperwork and lack of transparency" and the associated "Lack of enforcement of planning permission breaches" at Derbyshire Dales District Council in respect of Hasker Farm. Mr Braund and Mr Cogings share this failure in good governance. The additional issues outlined in this complaint document further examples of unacceptable misconduct and unprofessionalism.

The Chief Executive's ultimate failure in good governance was in allowing his senior officers to knowingly involve the District Council in an opaque, undocumented business relationship with a convicted career criminal whom they had known for many years, and continuing to do

¹¹ *Annual Governance Statement 2022/23*, Derbyshire Dales District Council, available at <<https://www.derbyshiredales.gov.uk/your-council/policies-plans-and-strategies#h1>>.

so after the vendor's criminality became known to the public. Good governance also involves a duty to respect the rule of law and best practice. The District Council did not follow the clear procedures laid down in legislation and best practice to establish the identity of those with whom it was involved in six-figure business negotiations.

What is also staggering is that Paul Wilson, as Chief Executive of Derbyshire Dales District Council, allowed that the Council and senior Council officers such as Mr Braund and Mr Cogings, for whom he was professionally responsible, to knowingly engage for ten months in a six-figure landmark business deal with a convicted career criminal *without* a single word on paper from the prospective vendor of the land. The Council's lead officer on the Hasker Farm project, Rob Cogings, has admitted that contact with Mr [redacted] "was all verbal".¹² Not a single letter, email or text from the vendor is on file.

As further evidence of a lack of leadership and a failure in good governance on the part of the Chief Executive is that despite damning East Midlands Councils' findings that there was a "Lack of transparency and good governance", associated "Missing paperwork" and that senior Council officers had knowingly engaged commercially with a convicted career criminal linked to organised crime and a live Proceeds of Crime confiscation order despite the reputational damage that would ensue, all of which leading to a "climate of suspicion" over Derbyshire Dales District Council, no disciplinary action whatsoever was taken.

1.1 A Failure in Transparency and Integrity

The Chief Executive of Derbyshire Dales District Council, Paul Wilson, Mr Braund and Mr Cogings and others have fallen very short of the standards expected of local government employees. They have acted unprofessionally, negligently and without due diligence in its dealings with the convicted career criminal at the heart of the Hasker Farm scandal. In her interview with East Midlands Councils' investigators, Cllr Susan Hobson, Deputy Leader of Derbyshire Dales District Council, stated that "there wasn't openness or transparency" in the Hasker Farm proposal.¹³

1.1.1 The Chief Executive misled me in the course of my enquiries on behalf of constituents and Derbyshire Dales residents

Almost all of my enquiries regarding the situation at Hasker Farm were addressed to the Chief Executive of Derbyshire Dales District Council, Paul Wilson. I was demonstrably misled by him in several key respects. Mr Wilson is duty bound to be honest, truthful, to exercise the highest standards of conduct and to provide the highest possible standard of service. In the case of the Hasker Farm affair, Mr Wilson and several senior Council officers for whom he is, or was, ultimately responsible failed in all these respects.

¹² 'Notes of investigation interview with Rob Cogings', 10 November 2023, East Midlands Councils', p. 4.

¹³ 'Notes of investigation interview with Cllr Sue Hobson', 15 November 2023, East Midlands Councils', p. 4.

All my enquiries with regard to Hasker Farm have been as a result of issues and concerns raised with me in my capacity as their Member of Parliament by my constituents, almost all of whom are also Derbyshire Dales District Council Council Tax payers. The actions of the Chief Executive in misleading me are compounded by the fact that in so doing he was also seeking to mislead the very residents that he was meant to serve.

1.1.2 The Chief Executive misled East Midlands Councils' investigators in the course of their enquiries

In his official response to the Complaint by Mr and Mrs Williamson, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, Mr Wilson misled the East Midlands Councils' investigators in several respects. I shall focus on the most obvious. With regard to whether or not the District Council had made an offer to purchase or acquire the parcel of land in question at Hasker Farm from Mr [redacted], Mr Wilson states categorically that

"Such claims are wholly unsubstantiated and there is no evidence in any of the substantial body of information released in response to numerous FOI requests which provides any indication of such offers being made. The reason why there are no references is because the Council has made no such offer to Mr [redacted]."¹⁴ [Emphasis added]

In the same document Mr Wilson claims that there were "no draft financial proposals".¹⁵ In his summary, in paragraph 6.2, Mr Wilson restates: "no draft financial proposals were ever prepared or exchanged."¹⁶

In his subsequent interview with East Midlands Councils' investigators, Mr Wilson stated that "There was no offer given to [redacted] – either verbal or otherwise."¹⁷ This is then subsequently restated: "There is no evidence of a commercial relationship with [redacted], or of an offer made to Mr [redacted]."¹⁸ [Emphasis added]

¹⁴ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 2023, p. 25, paragraph 5.82.

¹⁵ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 2023, p. 18, paragraph 5.43.

¹⁶ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 2023, p. 39, paragraph 6.2.

¹⁷ 'Notes of investigation interview with Paul Wilson', 10 November 2023, East Midlands Councils', p. 7.

¹⁸ 'Notes of investigation interview with Paul Wilson', 10 November 2023, East Midlands Councils', p. 8.

Mr Wilson's claims are shown to be false by evidence provided by his own senior Council officers and in the statements made by Mr Rob Cogings, the lead officer on the project, and Mike Galsworthy, Estates and Facilities Manager at Derbyshire Dales District Council, the other main negotiator with Mr [redacted].

Mr Wilson's false statement to the East Midlands Councils' investigators that "There was no offer given to [redacted] – either verbal or otherwise" is also shown to be false by Rob Cogings' admission during his interview with East Midlands Councils investigators that offers were made. When asked by the investigators "Did you make an offer?", Mr Cogings responded "Only in the last meeting – we referred to £80,000 and maybe going up to £100,000."¹⁹

Mr Galsworthy clearly stated to the East Midlands Councils' investigators that in a meeting with Mr [redacted] on 20 January 2023

"a without prejudice verbal offer was made . . . We discussed a 24-year lease, a 20-year lease for £4,000 per annum, or freehold purchase of whole site for £60k. The offers were declined." [Emphasis added]

Mr Galsworthy confirmed that the District Council made another offer on 25 January 2023:

"We had without prejudice discussions on a 24-year lease at £8,000 per annum (doubled from the offer of 20th) and we talked about potentially purchasing the whole site for £60,000 and a life tenancy back to him for the area of the site not needed for development."²⁰

Mr Galsworthy further noted that:

"Our discussions started at a lease of £4000 per annum and went to £8,000 per annum and for purchase we started at £60,000 and went to £80,000 and he wanted £160,000."

²¹

It is clear from the evidence and statements provided by Mr Galsworthy and Mr Cogings that the District Council did make offers, several of them, on 20 January, 25 January and 31 January 2023, from £60,000 up to £80,000 and up to £100,000, and that "The offers were declined." Given how small the Corporate Leadership Team is at Derbyshire Dales, and that in Mr Wilson's own words he was "dealing with the very strong political commitment to deliver a traveller site", and that he was involved in the day-to-day management of the issue, it is inconceivable that Mr Wilson would not have known that several offers had been made.

¹⁹ 'Notes of investigation interview with Rob Cogings', 10 November 2023, East Midlands Councils', p. 5.

²⁰ 'Notes of investigation interview with Mike Galsworthy', 10 November 2023, East Midlands Councils', p. 3.

²¹ 'Notes of investigation interview with Mike Galsworthy', 10 November 2023, East Midlands Councils', p. 4.

In claiming that no financial offers were made to Mr [redacted] by the District Council, Mr Wilson blatantly misled the East Midlands Councils' investigators.

1.1.3 The Chief Executive misled me about the fact that his senior officers knew that Mr [redacted] was a convicted criminal

At the heart of the concerns I had raised with Paul Wilson in his role as the Chief Executive of the Council was that senior Council officers had knowingly engaged in business negotiations over a ten-month period with [redacted], a twice-convicted career criminal drug dealer involved in national organised crime subject to a Proceeds of Crime confiscation order.

In a 3 February 2023 response to my queries, Paul Wilson unambiguously stated to me that:

"Officers had no prior knowledge of Mr. [redacted]'s previous criminal convictions and neither would we have known this information had it not been [redacted]t to our attention." [Emphasis added]

The East Midlands Councils' report, however, made a finding at paragraph 7.1.4 that senior District Council officers had:

"Prior knowledge of convictions and of involvement in organised crime"

The report had also made a finding at paragraph 6.59 that

"We are clear that both Mr Braund and Mr Cogings had some prior knowledge of Mr [redacted]'s criminal past, and that this was probably shared more widely among senior officers, but that they chose not to investigate further . . ." [Emphasis added]

Mr Braund and Mr Cogings were senior Derbyshire Dales District Council officers during of the Hasker Farm scandal. Mr Braund was the District Council's Director of Regulatory Services and was closely involved in the Hasker Farm project. He had known Mr [redacted] since at least 2005, and most probably longer. Rob Cogings is the District Council's Director of Housing.

It is inconceivable that they did not discuss this issue with Paul Wilson. It would have been professionally remiss of them not to have done so.

The report also stated at paragraph 6.54 that Mr Braund had made the Chief Executive of Derbyshire Dales District Council, Mr Paul Wilson, aware of [redacted]'s criminal background at the start of these negotiations. [Emphasis added]

As has been pointed out, the Leadership team at Derbyshire Dales is a small one. In addition to Tim Braund and Rob Cogings, it is also clear that James McLaughlin, the Council's then Director of Corporate and Customer Services and Monitoring Officer, was aware of Mr [redacted]'s criminality. Paul Wilson confirmed in a 14 July 2023 email to me, several months after my initial enquiries, that Mike Galsworthy, the District Council's Estates and Facilities Manager, someone also closely involved in the Hasker Farm negotiations, had known Mr

[redacted] at least since 2001, having had “professional dealings with Mr. [redacted] in the period 2001-2008 in relation to the Pavilion in Matlock Bath . . . “

This is not knowledge related to a brief and forgotten meeting. It is long term knowledge.

I also note that the District Council clearly misled residents about Mr [redacted]’s previous relationship with Council officers before their involvement in the Hasker Farm issue.

On 10 February 2023, for example, the Hasker Farm Committee made a Freedom of Information Request (FOI/6586/23) asking whether any Councillor or Council member of staff had any prior relationship with [redacted] prior to May 2022 when he reportedly approached DDDC with an offer of land for a traveller site:

“We would like to formally request details (under the right of freedom of information) of any previous relationship any Councillor or other Derbyshire Dales Council member of staff may have had with Mr [redacted] – formal and informal – prior to . . . June 2022.”

The resident also asked whether any conflict of interest had been declared if a prior relationship had been admitted. The subsequent response by the District Council on 6 March 2023 was that “The Council does not hold this information in respect of this request.”²²

This response was also clearly untrue.

In a response to a subsequent Freedom of Information request (FOI/6635/23), after the Hasker Farm project was ended, James McLaughlin, the Council’s Director of Corporate and Customer Services and Monitoring Officer, admitted on 11 April 2023 that Mike Galsworthy, the District Council’s Estates and Facilities Manager, was the primary contact between [redacted]’s company Brody Entertainments Ltd and the District Council from 2001-2008 when [redacted]’s company was a tenant of the District Council at the Pavilion nightclub in Matlock Bath.

The East Midlands Councils’ investigation found that Mr Braund had known Mr [redacted] from 2005 while working as a Council Environmental Health Officer and was involved in environmental and licencing issues relating to business premises Mr [redacted] was renting from the Council.

At paragraph 6.53, the East Midlands Councils’ Report also states that another [unnamed] colleague had told Mr Braund that [redacted] had a criminal conviction. Given that the District Council is a small local authority and given the very small number of senior officers at the District Council, it could almost be said that it wasn’t a case of which officers knew they were doing business with a criminal, but rather which officer was not aware of that fact.

Mr Cogings, in his interview with East Midlands Councils’ investigators, admitted that he was aware that Mr [redacted] was “unsavoury” and had a criminal past before the

²² Derbyshire Dales District Council, FOI Team, Reply to Freedom of Information Request: FOI/6586/23, 6 March 2023.

30 January 2023 email from Cllr Janet Rose attaching the BBC article outlining [redacted]'s criminal record: "Before that, I got the impression that [[redacted]] may have been convicted or gone to prison."²³

Cogings stated that Tim Braund had discussed [redacted]'s criminal past with him some time before the BBC article was made public.

What is clear, however, is that several officers who were aware of the vendor's criminality did nothing to stop the District Council's business relationship with him. Despite knowing that the Council was dealing with a convicted criminal who had gone to prison, Mr Cogings pressed on with the Council's engagement with [redacted]. In so doing Mr Cogings showed a remarkable and damning lack of professional curiosity in not checking the details of Mr [redacted]'s criminal past. When asked if he had raised it with senior management, Mr Cogings replied "No".²⁴

It is a matter of record that senior Council officers continued to engage with Mr [redacted] even after they were publicly made aware towards the end of January 2023 of the vendor's criminality, and that some officers continued to push the Hasker Farm business deal forward for as long as they could until 20 February 2023.

In summary, as shown in the East Midlands Councils' Report and as shown within the body of this complaint, the following senior officers and employees of the Council at the very least knew that the Council was in a business relationship with a convicted criminal, before receiving emails outlining the vendor's criminal record in late January 2023:

Paul Wilson, Chief Executive and Head of Paid Service;

Tim Braund, Director of Regulatory Services;

Rob Cogings, Director of Housing;

James McLaughlin, Director of Regulatory Services and Monitoring Officer.

Mr Braund stated to investigators that he had told Mike Galsworthy.

There are in addition the unnamed Council colleagues of Mr Braund referred to in the East Midlands Councils' Report.

As the Chief Executive, Paul Wilson bears ultimate responsibility for the Council misleading me and other Derbyshire Dales residents in claiming "Officers had no prior knowledge of Mr. [redacted]'s previous criminal convictions and neither would we have known this information had it not been [redacted]t to our attention" when this was a false statement.

²³ 'Notes of investigation interview with Rob Cogings', 10 November 2023, East Midlands Councils', p. 3.

²⁴ 'Notes of investigation interview with Rob Cogings', 10 November 2023, East Midlands Councils', p. 3.

1.1.4 The Chief Executive misled East Midlands Councils’ investigators about the fact that his senior officers knew that Mr [redacted] was a convicted criminal

In his official statement to the East Midlands Councils’ investigators, Mr Wilson declares that:

“None of the officers who have been involved in the evaluation of this potential site were aware of the nature or extent of Mr [redacted]’s criminal history or convictions as outlined in the 2007 BBC article. Whilst the complainants seek to imply that this may not be the case, they present no evidence to substantiate their claims other than by reference to an email from the Director of Regulatory Services dated 26th January 2023.”²⁵

When asked during his interview with the East Midlands Councils’ investigators as to whether Mr Braund or Mr Galsworthy were aware of Mr [redacted]’s extensive criminal record, Mr Wilson stated: “They didn’t know about his conviction . . .”²⁶

Mr Wilson misled East Midlands Councils’ investigators both in his written statement to them in November 2023 and in the course of his interview with the investigators on 10 November 2023.

1.1.5 The Chief Executive misled me about the origin and suitability of the Hasker Farm site offer

After my election in 2019, I regularly pressed both the Leader of the Council, Cllr Garry Purdy, and the Chief Executive, Mr Wilson, on the need to secure a permanent Traveller site and it was an agenda item during my regular monthly CEX (Chief Executive) meetings with Cllr Purdy and Mr Wilson. When I raised the issue during our November 2022 meeting, my note of that meeting shows that the Chief Executive informed me that a suitable permanent Traveller site had been located as a result of a call for land [this would have been the May 2022 call for land]. Mr Wilson told me the site was on farmland with no neighbours and that the farmer was selling it. I was pleased that progress had been made and that there were no neighbours as that would mean no objections to the site, something which had previously been problematic in securing a location. The neighbours issue was an important one as the Traveller family that would have been settled at the permanent Traveller site were an elderly couple with a mentally-disabled adult son who would scream and shout a lot of the time and allegedly would expose himself – something which had previously caused considerable concern from people living close to the temporary sites at which they had been staying – leading to complaints to the Police about the alleged behaviour.

²⁵ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 2023, p. 21, paragraph 5.60.

²⁶ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 5.

This was a false statement on the part of Mr Wilson. It also appeared in an 11 May 2022 District Council email, reproduced in the Appendices, which claimed that the site was “not near any residential properties”. In reality, the site was a field on a private lane shared with eight households of neighbours, including children, less than 300 hundred metres away. A photograph showing the location of the proposed site and its proximity to neighbouring households can be seen in the Appendices.

Despite Mr Wilson’s claim, the field in question was being not sold by a farmer but by Mr [redacted], someone Mr Braund and Mr Galsworthy had personally known for at least 20 years, if not longer. Mr [redacted] is not a farmer.

It is noteworthy that at the un-minuted June 2022 Members Briefing the Chief Executive made precisely the same untrue claims to the Councillors who were present. In the words of one Councillor who has written to me:

“We were told the site had no neighbours, and that the owner was a local farmer. I left the meeting thinking it was an ideal site, as the only people who would be around would be the people who had sold the land. The family that were earmarked for the site had received a number of noise related complaints . . .”

Mr Wilson’s claims that the Hasker Farm site was on a farm, was being sold by the farmer who owned it and that there were no neighbours, were a series of false statements made not only to me but to elected Councillors.

1.1.6 The Chief Executive misled me about the ending of the District Council’s business relationship with [redacted]

I was also repeatedly misled by claims by the Chief Executive, Mr Wilson, as to when the District Council had terminated its involvement with [redacted].

I was categorically told by Mr Wilson that following the public revelations about the District Council’s business partner’s criminality, the District Council had ended its dealings with Mr [redacted] as of 30 January 2023. In his 14 July 2023 email to me, for example, Paul Wilson stated that having returned from holiday on 30 January 2023 he read Cllr Rose’s email and BBC News attachment regarding [redacted]’s criminal record. He stated he then arranged for a leadership meeting with the Leader and Deputy Leader of the Council, Cllr Garry Purdy and Cllr Sue Hobson, on 1 February. He also stated that he met senior Council officers on the afternoon of 30 January 2023 and that

“it was agreed on 30th January that active discussions would be suspended immediately, and they were.” [Emphasis added]

It is also a matter of record that the Leader of the Council, Cllr Purdy, had told me (in a 28 February 2023 email) that following the vendor’s criminality having become public knowledge “it became patently clear that we had to withdraw with immediate effect from any further negotiations with Mr [redacted]. Cllr Hobson [Deputy Leader of the Council] and myself made

it very clear at that time in January to Paul [Wilson] that we should not proceed any further with Hasker Farm". [Emphasis added]

In his 14 July 2023 email to me, Paul Wilson also stated that

"the active involvement of the Council's officers ended on 30th January as soon as I was aware of the BBC article. Officers did not 'continue at pace' as you claim and there is no evidence to demonstrate otherwise."

These were false statements on the part of Mr Wilson.

Despite Mr Wilson's assurance that "active discussions" regarding the Hasker Farm site had ended on 30 January 2023, and his denial that work had continued past that date to progress the site, and despite very clear instructions from the Leader of the Council not to proceed any further, the Chief Executive and his senior officers continued at pace, for reasons best known to themselves, with the clear intention of progressing the Hasker Farm project and getting it past a 20 February 2023 Members Briefing and then approved at a meeting of the full Council in March 2023.

Evidence that the Council officers continued to progress the Hasker Farm deal with Mr [redacted] despite Mr Wilson's claims that "active discussions" were suspended with Mr [redacted] on 30 January is provided by the District Council's own lead and chief negotiator regarding Hasker Farm, Rob Cogings. In his interview with East Midlands Councils' investigators Mr Cogings refers to the last meeting between himself, Mike Galsworthy and Mr [redacted] on 31 January 2023. At this meeting at the Council offices, Mr [redacted] "handed over the documentation to us relating to the access [road to the prospective Hasker Farm site]". When asked by the investigation if a financial offer was made by the Council to purchase land from Mr [redacted], Mr Cogings clearly stated: "Only in the last meeting – we referred to £80,000 and maybe going up to £100,000."²⁷ That is to say that one day after Mr Wilson categorically assured me that all dealings with Mr [redacted] had been stopped, the District Council offered Mr [redacted] up to £100,000 to buy the site.

That Council officers continued to progress the deal past 30 January 2023 is also clearly demonstrated to be the case in several internal emails and public statements and by the active involvement by senior officers to address concerns officers had that the project might be derailed by access issues at Hasker Farm site. These concerns stemmed from news they had received that the local residents at Hasker Farm had sought to buy the track leading from the road to Hasker Farm with a view to preventing access to the envisaged site owned by Mr [redacted].

Rob Cogings, for example, had previously emailed the District Council's legal department on 25 January 2023 requesting urgent advice:

²⁷ 'Notes of investigation interview with Rob Cogings', 10 November 2023, East Midlands Councils', p. 5.

“We are working on bringing forward a traveller site on land set out in DY485901. The current landowner has access to his land via the lane adjacent to the site. The lane is owned by another party who are selling it to someone else who happens to be opposed to the traveller site. This person is saying that when the lane is sold, the new owner will not allow access for travellers on to the site we are proposing to lease/acquire for the traveller site. Can you advise if the owner can do this? Presumably the right of access can be enjoyed by anyone who needs access to the land around the lane? I appreciate I may not have explained that very well. I’ve copied in Mike who is working with me on the delivery of the site and also our architect.”

Despite Mr Wilson’s assurance that there would be no more “active discussions” with Mr [redacted] as from 30 January 2023, as can clearly be seen from the email trail above and below senior officers were in discussions with Mr [redacted] the very next day, 31 January, to make him an offer for the land and for him to provide the title documents necessary to remove obstacles to the site and progress its purchase.

In his response to Rob Cogings’ 30 January 2023 email attaching the Council’s “legal advice . . . ref site access” he had requested in respect of [redacted]’s Hasker Farm site, Paul Wilson subsequently emailed Rob Cogings and Mike Galsworthy on 30 January 2023 at 17:14 (three hours after assuring me that “active discussions” with Mr [redacted] had been “suspended immediately”) stating that the “[site access] needs to be discussed with [redacted] when you meet him” – referring to their meeting with Mr [redacted] on 31 January 2023. On the same day Mike Galsworthy emails Paul Wilson in response to his concern about site access stating that “At our last meeting, we asked [redacted] for copies of the [access] documentation from the original transfer of the land and associated plans which I understand he is bringing with him for our meeting tomorrow [31 January 2023] so we will raise these issues with him.”

Tim Braund subsequently refers to these access documents in his 3 February 2023 email to Mike Galsworthy and Chris Whitmore, following their meeting with Mr [redacted] at the Town Hall on 31 January 2023, in which he notes “Mike – copy of title docs for [Redacted] site at Hasker Lane – copy of the docs for the lane would also be useful please.” Mr Braund was clearly continuing to work on the Hasker Farm access issues.

On 8 February 2023, at 13:30 the Leader of the Council, Cllr Purdy, emailed Paul Wilson stating

“I am only just learning about certain access issues around the above site [Hasker Farm] and which are becoming clearer with the arrival of objection emails I believe it would be helpful if our Officers investigating this site attend the CEX meeting at 1pm next Monday Can you arrange please.”

[These were the same Hasker Farm site access issues previously raised by Rob Cogings with the legal department, and referred to by Paul Wilson, Tim Braund and Mike Galsworthy]

There was an all too clear intention to progress the site. As a matter of simple fact, the project was clearly still being progressed.

Paul Wilson responded to the Council Leader on same day at 13:47 stating:

“We are aware of the access issues as we have done our own land registry checks on titles etc, however they are resolvable and discussions have taken place in order to address this. However, I will ask Mike Galsworthy or Rob to attend our meeting as they have had the discussions.”

These actions and communications clearly indicate a continuation of the project despite the assurances made to me.

Paul Wilson was clearly continuing to progress the deal with Mr [redacted] by seeking to resolve “access issues”. It is also clear Mr Galsworthy and/or Mr Cogings went on to meet both the Chief Executive and Leader of the Council on 13 February 2023 regarding their active involvement and discussions with Mr [redacted] with a view to solving the access issues regarding Mr [redacted]’s Hasker Farm site, having discussed precisely these issues with Mr [redacted] during their unminuted, undocumented meeting with him at Matlock Town Hall on 31 January 2023. Mr Galsworthy and Mr Cogings had specifically requested that Mr [redacted] bring title deeds relating to access to his site to that meeting.

It is very clear from these exchanges, 15 days after the senior officers were “made aware” of Mr [redacted]’s criminality by way of Cllr Janet Rose’s 26 January 2023 email, and a week or more after the Leader of the Council stated that he very clearly told the Chief Executive, Paul Wilson, “that we should not proceed any further with Hasker Farm”, that Paul Wilson and his officers, for whatever reason, were still working at pace on progressing the Hasker Farm site – in the example documented above by working to ensure the key issue of access to the site.

As can be seen above, through the active involvement of his senior officers post-30 January, Mr Wilson was able to report to the Leader of the Council on 8 February that the obstacles to the Hasker Farm permanent Traveller site project, namely the access to the site, “are resolvable and discussions have taken place to address this.” [Emphasis added]

The above statement by Paul Wilson, that the remaining obstacles to the Hasker Farm project, as negotiated with the criminal vendor were “resolvable”, were committed to an email at 13:47 on 8 February 2023, 10 days after Mr Wilson was “publicly” made aware of Mr [redacted]’s convictions and involvement in organised crime by way of Cllr Rose’s email. This was also despite having falsely assured me that “it was agreed on 30th January that active discussions [with the vendor] would be suspended immediately, and they were”.

There is further evidence that senior officers continued to be actively involved in trying to progress the Hasker Farm deal with Mr [redacted]. In a 6 February 2023 email to Rob Cogings and James McLaughlin, the District Council Director of Corporate & Customer Services and Monitoring Officer, Tim Braund, discussing a briefing paper regarding the proposed permanent Traveller site at Hasker Farm, states “I think we would be naïve if we did not understand that anything we say here may make its way into the public domain. Residents and some Members may well be keen to leap upon anything here that could be used to support not taking the site forward.” Braund then suggested some changes that would help

“tilt the balance in favour of the [planning] application [for the proposed permanent Traveller site at Hasker Farm]”.

That is to say progressing the Hasker Farm site.

It is clear therefore that Paul Wilson, Tim Braund, Rob Cogings and Mike Galsworthy were working at pace to progress the deal with Mr [redacted] regarding the purchase of the Hasker Farm site by pointedly seeking to address and resolve any potential problems posed by obstacles to accessing the site or planning issues at least up to and including 8 February 2023. Far from shutting down and walking away from the Council’s engagement with Mr [redacted] and the prospective Hasker Farm site, Paul Wilson was instead trying hard to solve one of the obstacles to expediting the project, access issues to the site.

Despite Cllr Purdy’s instructions, and Mr Wilson’s own statement to me, the Council’s business relationship with Mr [redacted] continued apace. Mr Wilson told me in an email on 9 February 2023 that “confidential negotiations between the Council and the landowner” were ongoing. Mr Wilson subsequently once again claimed that involvement and negotiations with Mr [redacted] had ended on 10 February only for Mr Wilson to claim in a 17 February email that the discussions with Mr [redacted] “are still at a very early stage.” [Emphasis added]

Simply put, the Chief Executive misled me.

From 30 January 2023 onwards Mr Wilson was officially aware of Mr [redacted]’s extensive criminal record. Mr Wilson told the East Midlands Councils’ investigators that

“If we’d known about his criminal history, we wouldn’t have touched it with a barge pole . . . it would pose such a reputational risk . . . we have to walk away from it.”²⁸

Any responsible local government officer would have immediately [redacted]t an end to any and all District Council involvement with anyone with as extensive a criminal history as Mr [redacted]’s. Despite his subsequent references to barge poles and blindly obvious reputational damage, and claims to have suspended or ended all involvement, it is very clear that for reasons best known to themselves Mr Wilson and several officers actively progressed the Council’s attempts to purchase of the site from Mr [redacted].

The email train below speaks for itself.

Despite telling me that “it was agreed on 30th January that active discussions would be suspended immediately, and they were” [they weren’t, his officers met with Mr [redacted] the following day to progress the site], three days later, on 1 February 2023, in an email to me, Mr Wilson committed Derbyshire Dales District Council to an ongoing involvement:

²⁸ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 5

“The Council remains committed to undertaking consultation on the [Hasker Farm] proposals”

Mr Wilson added that the Hasker Farm matters “remain subject to negotiation between the Council and the landowner.” He went on to state that

“[O]fficers are currently preparing a report for consideration by the Council at its meeting on 16 March 2023. This report will set out the position in relation to identifying and potentially developing a permanent site . . . The decision to progress a permanent Traveller site is a matter for Members and officers have progressed the development of proposals to a point where there will be a decision for Members to make at Council in March 2023.

In his 30 January 2023 email to all Councillors, Paul Wilson stated that the purpose of the briefing was, *inter alia*, “to seek Member input and deal with questions prior to a potential report being presented to Council . . .” and “To agree next steps.”

The “potential report” he referred to was the Hasker Farm project. Mr Wilson had clearly not stopped the site, a project he told East Midlands Councils should not have been touched with a barge-pole.

On 3 February 2023, Paul Wilson stated to me that

“The Council remains committed to undertaking consultation on the [Hasker Farm] proposals . . . As previously advised, the intention is to brief Members on 20th February and if requested, prepare a report for consideration by the Council at its meeting on 16 March 2023. . . . Officers have progressed the development of proposals as has been requested, to a point where a decision now needs to be made . . . we have to look at the only option available to us”. [Emphasis added]

The “report for consideration by the Council at its meeting on 16 March 2023” was the progression of the Hasker Farm project. Despite his assurances about ending the project, Paul Wilson was clearly hiding behind Members in order to continue to progress the site.

On 9 February 2023, in an official response to queries about the Hasker Farm situation, a District Council press release signed off by Paul Wilson stated categorically: “The Council remains committed to undertaking consultation on the proposals” which were still “subject to confidential negotiations between the Council and the landowner.”

The “confidential negotiations between the Council and the landowner” referred to were between the District Council and [redacted].

Mr Wilson had clearly not stopped the project.

On 10 February 2023, Paul Wilson re-stated to me that

“it will be for Members to determine whether this site is progressed any further or not.”

The “site” in question is Mr [redacted]’s Hasker Farm site. Mr Wilson had clearly not only not pulled the site, it was still in play. In his interview with East Midlands Councils Mr Wilson appears to have forgotten his previous assurances on the record that all work/negotiations/discussions regarding the Hasker Farm project had ended on 30 January, given that in his interview with East Midlands Councils’ investigators Mr Wilson claimed that on 10 February 2023 it was decided that

“the Council should not proceed any further with this matter and that we should cease all engagement with him. The Council’s officers therefore disengaged from the process at this point and no further negotiations took place.”²⁹

This also proved to be another false statement on the part of Mr Wilson. In a subsequent 17 February 2023 email to all Councillors, Mr Wilson stated that the purpose of the 20 February meeting was “to seek Member views on how we progress with the challenge of delivering a permanent Traveller site in the Derbyshire Dales.” Mr Wilson stated that the meeting would be to

“seek Member views on the scope of a potential report to be presented to Council on 16th March 2023. To seek Member views on how the Council should now progress the delivery of a permanent Traveller site. To seek Member views on the next steps to be taken.”

The “potential report to be presented to Council on 16th March 2023” was the progression of the Hasker Farm site owned/offered for sale by [redacted]. Mr Wilson had very clearly not pulled the site, ending the continuing business dealings with Mr [redacted] as any professional local government officer would have done almost three weeks after having been made “officially” aware that the Council was dealing with a convicted career criminal associated with organised crime.

In his 15 February 2023 email to then Cllr Clare Gamble, Paul Wilson stated that

“The Council remains committed to undertaking consultation on the proposals . . . At the present time no agreement has been reached with the landowner in respect of the purchase or lease of the site and this remains subject to confidential negotiation between the Council and the landowner.” [Emphasis added]

It is disconcerting to see as experienced a Chief Executive as Paul Wilson tie himself up in knots while trying very hard to explain away what can only be described as gross professional negligence in not immediately ending any and all involvement with Mr [redacted] on 30 January 2023, something he told me he had done. Despite this assurance to me and others, in his 17 February 2023 email to me, Mr Wilson admitted that negotiations were ongoing and

²⁹ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 2023, p. 19, paragraph 5.49.

that “discussions [with Mr [redacted]] . . . are still at a very early stage.” [Emphasis added] Mr Wilson stated again that:

“In due course, the Council Members will take a view on how they wish to progress with the identification and provision of a permanent Traveller site.”

And yet, on 27 March 2023, Paul Wilson stated in an email to me [and repeated to the East Midlands Councils’ investigators] that “The Council did not withdraw from negotiations [with Mr [redacted]] until 10th February.” This too was untrue. The discrepancies are there for all to see. It is obvious that Mr Wilson failed to stop the Hasker Farm project and did not pull the site. It was only ended by Elected Members of the Council on learning with whom the Mr Wilson and his officers intended doing business and the reputational damage that would have ensued.

Cllr Dermot Murphy, a Derbyshire Dales District Council and Derbyshire County Councillor, unambiguously stated at a public meeting of the Council’s governance and resources sub-committee that he had received a telephone call on 20 February from the Council Leadership, on the day of and shortly before that day’s Members Briefing, and was told that the Hasker Farm negotiations and project were going ahead, whether he liked it or not and that the Hasker Farm project would be going to the full Council meeting on 16 March whatever happened at the Members Briefing.³⁰

Another Councillor present at the 20 February 2023 Members Briefing has also written to me confirming that

“The council seemed to be intent on pursuing a land deal on a piece of land that was owned by [redacted] [redacted] . . .”

Far from having taken the decision any rational Chief Executive would have taken, especially after having been publicly made aware of Mr [redacted]’s criminality, which would have been to immediately end any and all involvement whatsoever with Mr [redacted] regarding the Hasker Farm site – as he told me he had done – Paul Wilson clearly still sought to progress the project. This is manifested in the section above.

This was despite what Paul Wilson would describe as the “blindly obvious” reputational damage to the Derbyshire Dales District Council of any continuing business relationship with Mr [redacted], and despite his claims that he ordered his officers to stop all work on the Hasker Farm project, and despite the Leader of the Council ordering him in January to withdraw with immediate effect from any involvement with Mr [redacted]. From the emails cited above Paul Wilson was apparently content for whatever reason to push this reputational nightmare forward and embroil Elected Councillors in a deeply questionable enterprise which would leave Councillors and Council employees alike feeling unsafe. Any responsible and professional Chief Executive would never let as morally and legally questionable a deal as the Hasker Farm project get anywhere near elected Councillors.

³⁰ See, ‘Derbyshire Dales Governance & Resources Committee, 15 February 2024’, available at <<https://www.youtube.com/watch?v=j965jamZTos&t=388s>>.

To have actively continued with the Hasker Farm project was grossly negligent and demonstrated appalling judgment on his part amounting to professional misconduct.

It appears clear to me that the Chief Executive and his officers went into the 20 February 2023 Members Briefing absolutely committed to progressing the Council's business relationship with Mr [redacted] and Hasker Farm – despite the obvious reputational damage. This impression is shared by Elected Members of the Council who were present. A Councillor stated to me that the Councillors at the 20 February briefing “were alarmed by what was being proposed by the officers to develop Hasker Farm.”

The only thing that caused the Hasker Farm project to be stopped was the Hasker Farm Committee's timely briefing which independently alerted Councillors about the officers' negotiations with a career criminal with a Proceeds of Crime confiscation order and the unsuitability of the proposed site.

The Chief Executive and his senior officers tried to force the Hasker Farm project through while attempting to mislead me all along the way.

1.1.7 The Chief Executive misled the public or allowed the public to be misled about the real reason why the Hasker Farm project was stopped

Derbyshire Dales District Council's commercial engagement with Mr [redacted] and its involvement in the proposed permanent Traveller site at Hasker Farm was terminated by elected Councillors in the course of the 20 February 2023 Members Briefing to Councillors by the senior Council officers at the heart of the project. No agenda for the meeting was published, and no minutes were kept by any of the officers present. There was no written briefing for the Councillors present. This is frankly astonishing.

There is evidence that, contrary to the claims they subsequently made that they had ended the project on publicly being made aware of the vendor's criminality in late January 2023, the senior Council officers involved in the negotiations with Mr [redacted] were dead set on continuing with the Hasker Farm site – something made clear by the recollections of Cllr Dermot Murphy and another Councillor as outlined above.

With the exception of the Leader and Deputy Leader of the Council, Cllr Purdy and Cllr Hobson, and one or two of the Councillors who had been contacted by the residents of Hasker Farm, none of the Councillors present at this meeting had any real knowledge of the Hasker Farm project. As documented in the East Midlands Councils' Report, there had been a strict Council leadership policy to actively withhold details of the site from elected Councillors, including the Councillor for the ward in which the site was located. The only briefing that was provided to Councillors, on the eve of the meeting, was a document produced by Hasker Farm residents themselves, entitled *Councillor Briefing on DDDC Plan for Traveller Site*, distributed to Councillors in hard-copy and electronically by the Hasker Farm Committee, a body made up of several households at Hasker Farm who were opposed to the proposed Traveller site.

Despite having been told by Council officers that “it would not be appropriate” to refer to information in the Hasker Farm Committee briefing, several Councillors nevertheless raised the reputational damage of the Council’s involvement with a convicted career criminal at the meeting. The reputational damage was clear to Councillors once they learned about Mr [redacted]’s criminality from the Hasker Farm Committee briefing. A Councillor present at the 20 February Members Briefing noted to me that a

“[A senior opposition Councillor] said the optics of us dealing with a twice convicted drugs criminal would seriously damage the reputation of the district council. The room agreed wholeheartedly with this sentiment. The fact [redacted] may be subject to proceeds of crime orders were raised.”

A Councillor present at the meeting told me that

“The Mood of the Councillors was clear, they were alarmed by what was being proposed by the officers to develop Hasker Farm. The two key concerns were the unsuitability of the location and the character of the twice convicted drug dealer who was negotiations with officers to purchase the land.”

Several Councillors also expressed concern about personal safety when the criminality of the person with whom the officers had been doing business came to light in the course of the meeting. This was confirmed to me by a Councillor present at the 20 February Members Briefing who told me that

“[C]ouncillors raised concerns about [redacted] and his potential to be violent. The concern was that every councillor’s details are in the public domain.”

Cllr Susan Hobson, the then Deputy Leader of the District Council, confirmed the real reason for ending the Hasker Farm deal was the involvement of [redacted]. She also pointed to the issue of fears about personal safety. Cllr Hobson noted that

“At the Members’ briefing, one councillor was worried about withdrawing [from the deal] and didn’t want the individual coming to their house . . .”³¹

Cllr Hobson also observed that

“Some Members were worried about being involved in a decision to withdraw because of their own personal safety being at risk . . .”³²

A senior officer, James McLaughlin, confirmed this atmosphere of fear when he subsequently noted that following the decision to terminate the project Council officers would have

³¹ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 4.

³² ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 3.

“to make contact with . . . the individual with whom the Council has been in discussions regarding the potential development of the site. It was recognised that there were potential risks associated with this and a number of Members articulated their own concerns about personal safety and intimidation . . .”

Mr McLaughlin’s statement is also stark evidence that the Chief Executive and his senior officers had clearly NOT ended the Council’s business relationship with Mr [redacted] as repeatedly stated by Mr Wilson. Clearly, as far as Mr [redacted] was concerned, the deal had very much on the table until the 20 February Members Briefing.

A Councillor present at the Briefing also noted in an email to me that once Councillors had expressed concern about possible violence and intimidation if the deal did not go ahead,

“[I]t was then that Officers suggested that it could be said the project was being pulled on financial grounds. In reality it was the concerns over [redacted] and the unsuitability of the site.”

One Councillor very pointedly stated that District Council officers at the briefing for elected members had sought to pull the wool over Councillors’ eyes.

As previously referenced, in a 27 March 2023 email to me Paul Wilson highlighted the issue of reputational damage to the Council of any commercial involvement with the criminal vendor: “The councils officers therefore disengaged from the process at this point because as you quite rightly state, “the reputational damage to the council would have been blindingly obvious to any local government officer . . . It was blindingly obvious to me . . .”

This, however, was not the reason publicly presented for having ended the Hasker Farm engagement.

The District Council’s press statement of 22 February 2023 regarding the reasons for the Council’s not progressing the proposed traveller site at Hasker Farm stated that it was because the Council had agreed “as part of its due diligence process that the site is not financially viable for the council or deliverable”.³³ This disingenuous claim begs the question, if the site had been “financially viable”, would the District Council have gone ahead with its business deal with a convicted career criminal linked to organised crime?

In the well over one hundred Hasker Farm-related District Council documents I have seen – mainly by way of official Freedom of Information requests, there is only one reference, in a 7 November 2022 email to Rob Cogings from Mike Galsworthy, to the high cost of the Hasker Farm project. Galsworthy notes “That is a lot more expensive than I was expecting.” The cost is not mentioned further and the officers continued at pace to progress the site. It is also noteworthy that in her email of 27 February 2023 to Tim Braund, Dr Siobhan Spencer MBE, Director of the Derbyshire Gypsy Liaison Group expressed surprise at the District Council

³³ See, Derbyshire Dales District Council <<https://www.derbyshiredales.gov.uk/your-council/news-and-social-media/latestnews/statement-hasker-farm>>.

citing financial reasons for pulling the site, given that she had previously told the Council that it “could come back to see how we may be able to help cost wise”.

It was the spectre of the reputational damage to the District Council that would ensue from the officers’ commercial engagement with the criminal vendor, raised from the floor of the meeting by Councillors, not the officers, which ended the project.

This fact is confirmed by Mr Braund, someone very close to the Hasker Farm negotiations and present at the 20 February Members workshop. When asked by East Midlands Councils’ investigators “Was [Mr [redacted]’s] criminal background the only reason for not proceeding with the site?”, Mr Braund responded:

“It was a reputation issue of dealing with the implications of the scale of convictions and the subsequent conviction that I knew nothing about before. We needed to take into account that he was a convicted criminal and proceeds of crime implications. In planning terms, I thought it was acceptable – I do personally think that some planning restrictions should be more flexible – but in financial terms it was looking expensive. The finance could have been a factor.”³⁴ [Emphasis added]

Mr Cogings, the Council’s lead officers on the Hasker Farm project confirmed that the real reason for ending the project was reputational damage. He has also confirmed that the Council officers decided to obscure that reason:

“Once we knew about [[redacted]’s] past we needed to use a technical reason to end the discussions, I didn’t want to meet him on site and say his past was the reason we were ending our interest in the land.”³⁵ [Emphasis added]

The Deputy Leader of Derbyshire Dales District Council, Cllr Hobson, also clearly noted that citing financial reasons was ultimately untrue:

“At the Members’ briefing, one councillor was worried about withdrawing and didn’t want the individual coming to their house and is why they said it was for financial reasons.”³⁶

The 22 February 2022 press statement was clearly an opportunistic attempt by the Chief Executive to cover up a staggering failure in professionalism on the part of the Chief Executive and senior officers in knowingly involving the District Council in a wholly inappropriate commercial relationship with someone they knew to be a convicted criminal. The Chief Executive and his senior officers had failed to properly carry out any of the due diligence

³⁴ ‘Notes of investigation interview with Tim Braund’, 10 November 2023, East Midlands Councils’, p. 4

³⁵ ‘Notes of investigation interview with Rob Cogings’, 10 November 2023, East Midlands Councils’, p. 5.

³⁶ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 4.

required of them at the start of their ten-month business relationship with the criminal vendor. He then approved a press statement that was not truthful.

The Council's Employee Code of Conduct commits the Council and its employees to transparency and 'open government'. The Council's Code of Conduct clearly states that "holders of public office should be as open as possible about all decisions and actions they take. They should give reasons for their decisions". The protocol also states that "press releases or statements made by employees . . . will be factual . . ." and that "breaches by an employee may lead to disciplinary action".

The press statement released by the Council was wholly misleading and was in effect an attempt to cover-up gross professional misconduct and related failures on the part of the Chief Executive and several senior officers.

Mr Wilson was emailed two versions of "1st draft Callow statement" by Jim Fearn, the District Council's Communications and Marketing Manager, on 21 February 2023, one at 12:33 and the second at 12:36³⁷, in relation to the Council's termination of the Hasker Farm project. Mr Wilson replied "Jim – I think this is a great start" and suggests that the final sentence, "We are also satisfied we have acted properly in respect of keeping elected members informed and indeed have again sought their views this week" be removed from the statement: "I don't think I would add the final sentence as some Members clearly disagree."³⁸

Mr Wilson was clearly responsible for the final sign-off of the District Council's press statement regarding the ending of the proposed Hasker Farm project. The East Midlands Councils' Report states at paragraph 6.138 confirms that Mr Wilson had sight of the press statement claiming financial reasons as opposed to real reputational damage reasons for ending the Hasker Farm project, suggested changes to it and then allowed it to be circulated by email to the three political group leaders for sign-off. The Chief Executive was professionally negligent in allowing the three political group leaders to sign-off on what was clearly a disingenuous press statement which did not reflect the real reason for the Hasker Farm project being stopped. This may have suited the Chief Executive and his officers, deflecting away from their responsibility for the Hasker Farm fiasco, and may have been politically expedient for the political leadership of the Council but it was self-evidently dishonest, disingenuous, unethical and unprofessional. The Chief Executive was in effect hiding behind the sign-off by political group leaders, amounting to a total derogation of his duties and responsibilities as the Chief Executive of the Council.

It was the Chief Executive's professional duty to have prevented a false narrative going out in the name of the District Council. Mr Wilson should have intervened as the professional head of the District Council and prevented an untrue press statement being released to the media on 22 February, giving a false account of events and misleading the public and Council Tax payers of Derbyshire Dales. Instead of doing this and preventing a false narrative being propagated Mr Wilson rubber-stamped it.

³⁷ Emails from Jim Fearn, "1st draft Callow statement", 21 February 2023 12:33, and , "1st draft Callow statement", 21 February 2023 12:36.

³⁸ Email from Paul Wilson, "1st draft Callow statement", 21 February 2023 12:47.

The disparity between what Derbyshire Dales District Council claimed to be the reason for terminating the Hasker Farm project and the reality of what actually happened was the subject of a 7 June 2023 front page banner headline story, 'Reputational damage put paid to new Traveller Site' in the *Ashbourne News Telegraph*, one of Derbyshire Dales' two newspapers. It was accompanied by a whole-page article headlined 'Council Chief gives real reason for dropping potential Traveller site'. It was also reported on the *Derbyshire Times* on 1 June 2023 under the headline 'Derbyshire council chief executive admits the real reason the authority dropped potential Traveller site'. These Articles can be found in the Appendices to this complaint.

2 Professional and Negligent Misconduct on the part of the Chief Executive, Mr Braund and Mr Cogings

I also wish to make a formal complaint at the professional misconduct on the part of the Chief Executive, Mr Braund and Mr Cogings in their mismanagement and mishandling of the District Council's ten month commercial engagement at Hasker Farm. The Chief Executive and his senior officers are duty bound to be honest and truthful, to act and take decisions in an open and transparent manner and be willing to challenge poor behaviour wherever it occurs.

2.1 A Total Failure in Due Diligence

When asked by the East Midlands Councils' investigators about what due diligence measures would be carried out by the District Council in the course of buying or leasing land, Mr Wilson responded: "Countless measures".³⁹ The reality is that despite the District Council at the end of a ten month commercial engagement getting so far as to make several "without prejudice" offers to buy or purchase land from [redacted] (for £60,000, £80,000 and up to £100,000), as clearly detailed above by Mike Galsworthy and Rob Cogings, the only act of due diligence carried out by the Council was to obtain a copy of a Land Registry title. A title which was not in [redacted]'s name, but in someone else's name.

As the Chief Executive of Derbyshire Dales District Council, Paul Wilson is responsible for the District Council's failure in due diligence with regard to its ten-month commercial engagement with Mr [redacted] regarding the proposed purchase of the Hasker Farm site. There was a similar failure on the part of Mr Braund and Mr Cogings and other senior Council officers involved in the negotiations with the criminal vendor.

This failure on the part of Mr Wilson was despite the repeated assurances I had received from him that due diligence had been carried out.

In his 3 February 2023 email to me, for example, Paul Wilson referred to the June 2022 Travellers Members Briefing session and stated "At that time, members were aware that the

³⁹ 'Notes of investigation interview with Paul Wilson', 10 November 2023, East Midlands Councils', p. 4

officers proposed to progress with due diligence enquiries . . ." In a subsequent email to me dated 22 February 2023, Mr Wilson stated:

"I am fully aware of my responsibilities as Chief Executive to ensure good governance . . . I am also aware that prior to entering into an agreement or contract with another party, there is a duty of care to be exercised. The District Council has many contracts in place with international and national companies worth tens of millions of pounds – as such we are very well versed in the importance of due diligence." [Emphasis added]

The parcel of land at Hasker Farm at the heart of this complaint had been purchased on 27 July 2014, shortly before [redacted]'s conviction in October 2014, possibly by or on behalf of [redacted] for £15,000. He has certainly presented himself as the beneficial owner. The title to the land is held by a [redacted] Michael [redacted], whose address was given 15 Vincent Avenue, Sponden, Derby DE21 7HB. [redacted] Michael [redacted] is no longer at that address. It would subsequently be claimed that [redacted] Michael [redacted] was [redacted]'s son. This was "assumed" by the District Council which has never had any contact whatsoever with him. This situation was further complicated by the fact that the name of Mr [redacted]'s son is Michael [redacted] [redacted]. At its most basic, and for obvious legal reasons, due diligence requires the District Council to establish the identity of the person with whom it is about to establish a business relationship, as Paul Wilson correctly notes "prior to entering an agreement or contract". This was not done in respect of any of the 3 people said at different stages to own the land in question.

In his 23 March 2023 email to me Paul Wilson admitted that there were "apparent anomalies" with regard to title – anomalies that would and should have been sorted out in May 2022 had even the most preliminary identity checks been carried out by the senior officers required by law to do so. Nor did the District Council ever establish who the beneficial owner of the land might be.

2.1.1 The Due Diligence required by law and best practice of the Chief Executive and District Council was not carried out

The District Council's *Anti-Fraud, Bribery and Corruption Strategy (including Anti-Money Laundering Policy)* states that Derbyshire Dales District Council expects that District Council Officers "will demonstrate the highest standards of behaviour in the conduct of public business", and states that "it is expected that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures, practices and probity." It also notes in Section 2.2 'Culture' that "All individuals and organisations associated with the Council are required to act with integrity and probity. Council staff and Members, at all levels, will lead by example."⁴⁰ [Emphasis added]

⁴⁰ See, *Anti-Fraud, Bribery and Corruption Strategy (including Anti-Money Laundering Policy)*, Derbyshire Dales District Council, available at <<https://democracy.derbyshiredales.gov.uk/documents/s9362/Anti-Fraud%20Bribery%20and%20Corruption%20Strategy.pdf>>.

Derbyshire Dales District Council's own *Anti-Money Laundering Policy (Incorporating Terrorist Financing Requirements)* document deals with *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*, which came in to force in June 2017 and, for any offences committed after 26 June 2017, replacing the *Money Laundering Regulations 2007*. It can be seen as a benchmark for good governance and due diligence. The Chief Executive and his senior officers conspicuously failed to follow this, their own stated guidance.

This guidance notes that business entities must "Undertake enhanced client identification procedures if the money laundering risk is high". Money laundering is defined at Section 5.1 as "a process by which the illegal proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises." Section 5.2 notes that "The source of money, either in cash, paper or electronic form (often referred to as "dirty money") is disguised and given the appearance of being clean funds. These are normally used to hide the proceeds of serious criminal activities such as terrorism, drug smuggling, theft and fraud." Section 5.5 notes "that Primary money laundering offences include: Concealing, disguising, converting, transferring criminal property". [Emphasis added]

Despite the fact that the Chief Executive and most if not all of his senior officers were aware that the man they were doing business with was a convicted career criminal associated with organised crime, drug dealing and converting criminal property, they conspicuously failed to follow this guidance. Not only were enhanced identification procedures not followed, no standard identity checks whatsoever were carried on any of the owners, beneficial or otherwise, of the land the District Council was seeking to acquire before or during the District Council's ten-month business relationship with [redacted] or [redacted] Michael [redacted] (or possibly Michael [redacted] [redacted]).

In his interview with East Midlands Councils' investigators, Mr Wilson confirmed his officers had had no contact at all with the actual owner of the Hasker Farm site: "it is correct that the Council's officers have not had direct contact with [the owner]".⁴¹

The *Anti-Money Laundering Policy (Incorporating Terrorist Financing Requirements)* notes some of the types of activities that may be affected by money laundering, which include "secretive clients" and "customers who we think are acting dishonestly or illegally" and "Unusual property . . . transactions", for example "Property transactions where the Council is with several different parties".⁴² [Emphasis added]

⁴¹ Derbyshire Dales District Council, *Formal Response of the Chief Executive of Derbyshire Dales District Council to the Formal Complaint Submitted by Mr and Mrs Williamson and Hasker Farm Committee Membership*, November 20, p. 17, paragraph 5.41.

⁴² See, *Anti-Money Laundering Policy (Incorporating Terrorist Financing Requirements)*, Derbyshire Dales District Council, available at <file:///C:/Users/Director/Downloads/Anti-%20Fraud.%20Bribery%20and%20Corruption%20and%20Money%20Laundering%20Strategy%202023.pdf>.

Rob Cogings provides clear evidence in respect of the Hasker Farm deal of the sort of “unusual property transactions” referred to in the *Anti-Money Laundering Policy (Incorporating Terrorist Financing Requirements)*. In his response to questioning by East Midlands Councils’ investigators, Mr Cogings refers to the fact that [redacted] did not own the land the District Council was negotiating to buy from him, and that Mr [redacted] said that his son owned the land. When asked if he believed that [redacted] had the permission of his son to sell the land in question, Mr Cogings stated:

“Yes. I took that on face value . . . I don’t know whether they would have swapped land between them in advance of the purchase.”⁴³

Mr Cogings’ conduct and attitude was professionally negligent to say the least. Not only were standard best practice identity checks not carried out on the different parties to the deal, [redacted] or his son, said to be the real owner of the land in question, the situation was further complicated by possibly being contingent on a land swap between the two – one of whom was still subject to a live Proceeds of Crime confiscation order which would have covered any of [redacted]’s assets. Furthermore, neither Mr [redacted] nor his son had committed a single word to paper throughout the negotiations. At face value, the *Anti-Money Laundering Policy (Incorporating Terrorist Financing Requirements)* posted on the District Council’s website, and clearly ignored by the Chief Executive, Mr Braund, Mr Cogings, Mr Galsworthy and every other Council officer involved with the Hasker Farm project, was enacted for precisely the very unusual property transaction to which Derbyshire Dales District Council found itself a willing party.

The East Midlands Councils’ report records senior officers were aware of [redacted]’s criminality with two convictions and several years of imprisonment for drug smuggling and concealing and converting criminal property. It also records that senior Council officers confirmed that had told the Chief Executive of Mr [redacted]’s criminality. It would also have been apparent to the senior Council officers engaged in commercial negotiations with him that his name was not the name on the Title deed of the property on offer for sale. Despite being aware of this, the Chief Executive and senior officers engaged in the business negotiations did not carry out even the most basic of due diligence identity checks as required of them by law.

Any check with HM Land Registry and with Mr [redacted] himself as to who actually owned the land in question at Hasker Farm, beneficially or otherwise, would have resulted in three possible candidates, [redacted], his son Michael [redacted] [redacted], or [redacted] Michael [redacted], whom the Council officers “assumed” was his son. Right from the start it would have been obvious to any diligent District Council officer that the Council was engaged in a property transaction with several different parties which would ordinarily have triggered suspicion and at the very least curiosity on the part of any experienced local government officer in light of the very specific guidance laid down in law.

⁴³ ‘Notes of investigation interview with Rob Cogings’, 10 November 2023, East Midlands Councils’, p. 2.

To this day, it is unclear who actually owns the land in question subject to the Council's ten-month commercial negotiations. Even from what little exists by way of Council paperwork it is clear Mr [redacted] would also have qualified as an unusual and "secretive" business partner, not least of which because in ten months of negotiations he made a point of committing nothing to paper. For that matter, it must be noted neither did the senior Council officers.

If [redacted] was not the beneficial owner of the land in question, it must be assumed that he was actively engaged in negotiations to sell the land as an agent on behalf of the registered owner, [redacted] Michael [redacted]. I assume that as experienced, senior local government officers, the Chief Executive, Mr Wilson, Mr Braund and Mr Cogins would be familiar with *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*, legislation reproduced in full on the District Council's own website.⁴⁴ The procedure that they are bound by best practice to follow, to address exactly the sorts of circumstances that presented themselves at Hasker Farm with regard to ownership, is clear.

Regulation 28 of *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*, for example, states:

"(10) Where a person ('A') purports to act on behalf of the customer, the relevant person must— (a) verify that A is authorised to act on the customer's behalf; (b) identify A; and (c) verify A's identity on the basis of documents or information in either case obtained from a reliable source which is independent of both A and the customer."⁴⁵

Regulation 31 states:

"(1) Where, in relation to any customer, a relevant person is unable to apply customer due diligence measures as required by regulation 28, that person . . . must terminate any existing business relationship with the customer".⁴⁶

None of the above basic, best practice due diligence was carried out by Derbyshire Dales District Council in respect of the owners, beneficial or otherwise, of the site at Hasker Farm. Person 'A' in the outline above would have been [redacted], purporting to act on behalf of his son '[redacted] Michael [redacted]', let us call him 'B'.

Even assuming that [redacted] Michael [redacted] was the legal owner of the land in question, the Chief Executive and senior officers of the District Council failed to carry out even basic steps required of them by the best practice criteria, as published on the District Council's own

⁴⁴ See, Derbyshire Dales District Council, <<https://www.derbyshiredales.gov.uk/your-council/policies-plans-and-strategies#h2>>, and 'Anti-Fraud, Bribery and Corruption Strategy (including Anti-Money Laundering Policy)', <<https://democracy.derbyshiredales.gov.uk/documents/s8952/Appendix%20A%20-%20Anti-Fraud%20Bribery%20and%20Corruption%20Strategy.pdf>>.

⁴⁵ See, <<https://www.legislation.gov.uk/uksi/2017/692/regulation/28/made>>.

⁴⁶ See, <<https://www.legislation.gov.uk/uksi/2017/692/regulation/31/made>>.

website, to identify 'A', failed to verify that 'A' was authorised to act on behalf of 'B', and failed in any instance to identify or in any way whatsoever communicate with 'B'.

There is the added issue that as [redacted]'s son appears to be Michael [redacted] [redacted], and that he therefore may be the owner, let us call him 'C', the Chief Executive failed to establish the identities of 'A', 'B' or 'C'. Having failed to apply the due diligence measures outlined by Regulation 28, the Chief Executive also failed to terminate the business relationship as required by best practice.

It should also be pointed out that the anti-money laundering legislation and guidance in question was designed and drafted to prevent precisely this sort of confusion as to whom the beneficial owner of property might actually be.

Even the standard identity checks that the Chief Executive was required to carry out, and of which he confirmed that he was more than aware, are clearly stated in the *Money Laundering, Terrorist Financing and Transfer of Funds* legislation and other regulations detailing the appropriate identity evidence to be provided when doing business. As the residents of Derbyshire Dales and any other person in the United Kingdom may know from their own attempts to buy or sell land or houses there are standard legal identity checks in place. The District Council should have secured satisfactory evidence of the identity of the person with whom it was doing business through passport/photo driving license plus one other document with their name and address, for instance a utility bill (not a mobile bill), mortgage/building society/bank documents, credit card documents, a pension/benefit book. This evidence should then be retained. If satisfactory evidence is not obtained, the relationship or the transaction must not proceed.

High Street estate agents, for example, must obtain and hold identification and proof of address for the people with whom they do business. Additionally, they are also required to establish whether there are any beneficial owners on whose behalf the transaction or activity is taking place and require vendors to identify anyone who might also be considered to be a beneficial owner. Without this information, even estate agents are unable to proceed further with any engagement.

The standard Proof of identity checklist for individuals is listed in the Appendices to this complaint.

It is clear that none of the standard, rudimentary identity checks as required by law were ever carried out with regard to [redacted], [redacted] Michael [redacted] or Michael [redacted] [redacted] or any other prospective vendor of the site. This is in and of itself an extraordinary omission. It is made even more extraordinary given that senior officers negotiating with [redacted] knew him to have been a convicted criminal and would have known of his involvement in drug dealing and organised crime. In these circumstances, the District Council's own guidance is clear. Business entities must "Undertake enhanced client identification procedures if the money laundering risk is high". [Emphasis added] Drug smuggling and dealing is flagged.

While the possibility that the field in question at Hasker Farm might have been bought by or on behalf of [redacted] as a means of hiding or “laundering” the proceeds of crime appears to have been ignored by the Chief Executive and those senior officers who knew of the vendor’s extensive crime record in the course of their ten month long engagement with him, it was immediately noted by elected Councillors, one of whom wrote to me that stating:

“I was concerned that [redacted] had probably registered the land in his son’s name to avoid it being confiscated as proceeds of crime, as [redacted] still owes money to the state . . . No mention was made [at the 20 February Members Briefing] of the financial risk to the council if the land was confiscated as a proceed of crime . . .”

The need to establish a permanent Traveller site within Derbyshire Dales was a very important priority for the leadership and officers of Derbyshire Dales District Council. The approach taken by senior officers from the Chief Executive downwards in respect of the prospective site at Hasker Farm was professionally negligent from the very start of its engagement with the prospective seller or sellers of the site. The Chief Executive and his senior officers did not carry out even the most elementary and preliminary of the commercial due diligence required, that is to say the basic identity checks on those with whom it was seeking to engage in a six-figure commercial land deal.

2.1.2 False claims that there was no need to carry out Due Diligence checks as required by law and best practice

The Chief Executive and his senior officers have repeatedly claimed that there was no need for due diligence checks to be carried out because nothing had been signed or finalised with [redacted]. In Mr Wilson’s 23 March 2023 email to me, for example, he stated that the District Council had “not reached the point where pre-contract due diligence checks had been undertaken into the legal ownership circumstances beyond HM land registry checks”, and that “further due diligence checks would have been undertaken prior to the Council entering into any contractual arrangements with the landowner.” He confirmed that “Due to the preliminary nature of negotiations, no further due diligence checks have been undertaken beyond initial checks with HM Land Registry”.

This was a false assertion on his part. It appears to be a device to excuse or exonerate serious breaches of due diligence.

It is clear that Derbyshire Dales District Council was engaged in commercial negotiations with [redacted] for ten months with a view to acquiring land at Hasker Farm for a prospective Traveller site. In his communications with me, the Chief Executive on several occasions referred to “negotiations” between the District Council and Mr [redacted]. In a 28 July 2022 email to a Councillor, Tim Braund noted that “negotiations with the land owner are proceeding constructively”. In his 1 February 2023 email to me, for example, the Chief Executive Paul Wilson referred to “negotiation between the Council and the landowner.” In an email to me on 3 February 2023, Mr Wilson stated that the District Council “remains committed” to negotiating with [redacted] regarding “the proposals” concerning the land at Hasker Farm. In his 27 March 2023 email to me Paul Wilson acknowledged that the Council was in negotiations with Mr [redacted] until 10 February 2023.

There were clearly negotiations in what was clearly a ten-month long business relationship.

There is a common sense understanding of business as the process of buying and selling things. The *Cambridge Dictionary*, for example, defines business as “the activity of buying and selling goods and services”. Land qualifies as a good.

More importantly, the *Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017* define the “Meaning of business relationship” as:

“4.—(1) For the purpose of these Regulations, “business relationship” means a business, professional or commercial relationship between a relevant person and a customer, which—

(a) arises out of the business of the relevant person, and

(b) is expected by the relevant person, at the time when contact is established, to have an element of duration.”⁴⁷ [Emphasis added]

The definitive Thomson Reuters *Practical Law* guide defines a business relationship in terms of the rules the East Midlands Councils’ itself refers to as

“a business, professional or commercial relationship between a relevant person and a customer, which is expected by the relevant person, at the time when contact is established, to have an element of duration.”⁴⁸

That is to say, as stated in the money-laundering and transfer of funds regulations posted on the District Council’s own website, a business relationship exists at the point that “contact is established”, in this instance when Mr [redacted] informed the District Council on 11 May 2022 that he wished to sell his land, or, as an agent on behalf of his son, his son’s land at Hasker Farm, to the District Council, and the Council initiated its relationship with him following the District Council’s Home Options Officer’s email of that same day reporting that an “ideal” site had been “put forward”. This was then followed up by a site visit by Tim Braund, the District Council’s Director of Regulatory Services, and Robert Cogings, the Council’s Director of Housing, to meet with the vendor on 30 May 2023 and commence business dealings with a view to acquiring the site, with the ensuing Land Registry searches initiated on 31 May. The element of duration – ten months, an active engagement between the District Council and the vendor between May 2022 and February 2023 – is also clear.

⁴⁷ See, *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*, UK Statutory Instruments, 2017 No. 692, PART 1, Regulation 4 4 available at <<https://www.legislation.gov.uk/ukSI/2017/692/regulation/4/made>>.

⁴⁸ See, Thomson Reuters *Practical Law* ‘Glossary Business relationship’, available at <[https://uk.practicallaw.thomsonreuters.com/9-107-6527?transitionType=Default&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/9-107-6527?transitionType=Default&contextData=(sc.Default)&firstPage=true)>.

The statements made by Mike Galsworthy, Estates and Facilities Manager at Derbyshire Dales District Council and one of the two negotiators with Mr [redacted], as outlined in a previous paragraph, clearly illustrate that there had been a live commercial engagement with Mr [redacted] up to and including offers made by the District Council. Mr Galsworthy stated to the East Midlands Councils' investigators that in a meeting with Mr [redacted] on 20 January 2023

“a without prejudice verbal offer was made . . . We discussed a 24-year lease, a 20-year lease for £4,000 per annum, or freehold purchase of whole site for £60k. The offers were declined.” [Emphasis added]

The District Council made another offer on 25 January 2023:

“We had without prejudice discussions on a 24-year lease at £8,000 per annum (doubled from the offer of 20th) and we talked about potentially purchasing the whole site for £60,000 and a life tenancy back to him for the area of the site not needed for development.”⁴⁹

Mr Galsworthy further noted that:

“Our discussions started at a lease of £4000 per annum and went to £8,000 per annum and for purchase we started at £60,000 and went to £80,000 and he wanted £160,000.”
50

This is echoed by Rob Cogings as can be seen in an earlier section of this Complaint.

It is very clear from testimony of both Mr Galsworthy and Mr Cogings that the District Council did make financial offers for the land at Hasker Farm. It is very unlikely that Mr Wilson would not have known that offers had been made.

For Mr Wilson to state to me on 23 March 2023 that “detailed pre-contract due diligence checks [had not been] undertaken due to the preliminary stage the discussions had reached” was self-evidently misleading.

It is obvious that the District Council was in a business relationship with the criminal vendor. There had been a ten-month business relationship involving financial negotiations as well as thousands of pounds worth of architectural plans, numerous site visits, Town Hall meetings, costed designs, surveys and valuations and pre-application planning advice and culminating in several financial offers.

⁴⁹ ‘Notes of investigation interview with Mike Galsworthy’, 10 November 2023, East Midlands Councils’, p. 3.

⁵⁰ ‘Notes of investigation interview with Mike Galsworthy’, 10 November 2023, East Midlands Councils’, p. 4.

It is equally obvious that the District Council was under a clear duty to have carried out several due diligence checks as required by law and best practice – that is to say identifying with whom you are doing business “at the time when contact is established” if the engagement is expected to have “an element of duration.”

In his 3 February 2023 email to me Mr Wilson’s answer to my question about due diligence checks on the prospective vendor and/or agent indicated that none had been undertaken. In response to my question on 10 February 2023 about what due diligence enquiries had been undertaken by the Council further to Mr Wilson’s statement that in June 2022 “officers proposed to progress with due diligence enquiries”, Mr Wilson replied on 20 February 2023 that “The only due diligence enquiries that have been undertaken by the District Council are with HM Land Registry in respect of land ownership”. [Emphasis added] As the land registry enquiry had been made in May 2022, the reality is that despite stating that due diligence would be progressed, no additional due diligence checks had been carried out by the Council in the ten months of negotiations from then until February 2023.

It is also a matter of record that Mr Wilson also sought to mislead East Midlands Councils’ investigators regarding the issue of due diligence not being carried out by claiming that no business had been carried out. This is a particularly poor attempt at an excuse.

2.1.3 A Failure in Due Diligence regarding ownership of the land offered for sale

As outlined above, there appears to have been confusion from the very start of the District Council’s commercial engagement with [redacted] over the true ownership of the land in question at Hasker Farm. There was no clear or discernible effort or professional inclination or even curiosity on the part of Paul Wilson, Tim Braund, Rob Cogings or any other Officer to establish exactly who owned the land or to clarify this with either the real owner or otherwise.

The Chief Executive In his email to me of 1 February 2023 told me that the District council “were in discussions with a landowner . . . Mr. [redacted] . . .” As I knew by then that there were at least two Mr [redacted]s in play that was not a particularly helpful response.

On 3 February Mr Wilson emailed me in response to several enquiries I had raised with him. In response to my question as to whether the District Council were in talks directly with a Mr [redacted] regarding the land he owned at Hasker Farm with a view to a purchase of the land or purchase of a long lease for the use of a travellers’ site, Mr Wilson responded “This is correct.”

In responding to my observation that the land in question was in the name of [redacted] [redacted] and residents’ concerns that the Council may not have exercised due diligence in ascertaining the legality of any land transfer and that it appeared that [redacted] was the beneficial owner of the land, Paul Wilson told me that “Title checks with HM Land Registry indicate that the land is in the ownership of Mr. [redacted] Michael [redacted].” It should be noted that Mr Braund initiated and handled the initial enquiries regarding title deeds.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (29.07.2014) PROPRIETOR: JOHN MICHAEL BROUGH of 15 Vincent Avenue, Spondon, Derby DE21 7HB.
- 2 (29.07.2014) The price stated to have been paid on 30 May 2014 was £15,000.

An extract from HM Land Registry in respect of the land in question at Hasker Farm

Mike Galsworthy – the District Council’s Estates and Facilities Manager, and Rob Cogings, Director of Housing Services – in their Delegated/Urgent Decision outline dated 26 September 2022 contradict Paul Wilson’s claim, stating that “The site in the ownership of a father and son”.

Mr Wilson also restated in his 17 February 2023 email to me that the land was in the ownership of Mr [redacted] Michael [redacted] and that “The only due diligence enquiries that have been undertaken by the District Council [regarding the proposed Hasker Farm site] are with HM Land Registry in respect of land ownership.”

Mr Wilson in his email to me of 22 February 2023 stated

“There is . . . no confusion whatsoever on the Council’s part as to who owns the land. Whilst discussions to date have been undertaken with Mr. [redacted], we do not regard him as the legal landowner – a fact which he himself has acknowledged in discussions with our officers.”

He noted further that

“In discussions with officers, Mr. [redacted] has stated that the land is in the ownership of his son who based upon HM Land Registry title has been assumed to be Mr. [redacted] Michael [redacted].” [Emphasis added]

It perhaps should go without saying that ten months into a business relationship not only does common sense dictate that one should definitively know with whom you have been negotiating a six-figure land deal, anti-money laundering legislation on the District Council’s own website and best practice makes it a requirement.

In a 10 February 2023 email that I sent to Paul Wilson, I asked if the District Council actually knew who was really selling the land the District Council had spent ten months negotiating to buy:

“It is puzzling to me that several months into a prospective purchase or lease of land for a figure well in excess of a six figure sum, a process that would have cost thousands of pounds of Council Tax monies, that you as the Chief Executive of the Council appear not

to know who actually owns the site. This is of even more concern given that questions have been raised with me as to who actually owns the land and the circumstances in which it was purchased. Can you provide me with a definitive answer as to who actually owns the Hasker Farm site, [redacted] or [redacted] [redacted]?”

Paul Wilson replied on 17 February 2023, stating that the

“[T]he District Council have made enquiries at HM Land Registry which indicates that land parcel DY 485901 (copy attached) on which any development would be located, is in the ownership of Mr. [redacted] Michael [redacted]. The Council understands that this is the son of Mr. [redacted]. The Council is therefore of the view that the legal owner of the site is Mr. [redacted] Michael [redacted].”

Paul Wilson’s statement that [redacted] Michael [redacted] is the son of [redacted] is puzzling. No records can be found that [redacted] has a son by the name of ‘[redacted] Michael [redacted]’. [redacted]’s son is Michael [redacted] [redacted]. A basic birth certificate check shows a record for [redacted]’s son – Michael [redacted] [redacted], born in Derby in 1982. [redacted] was married to Angela Ward in 1978, and Ward is shown as Michael [redacted] [redacted]’s mother in the England & Wales, Civil Registration Birth Index, 1916-2007.

See the Appendices for a copy of this record.

The simple fact is that under Paul Wilson’s leadership and oversight, the District Council did not and/or was not able to establish or verify the identity of the owner of the land senior Council officers had spent ten months in negotiations to acquire. Given that Paul Wilson and senior officers knew of [redacted]’s criminal background the need to have been ultra-cautious with regards to who owned the land in question should have been very obvious, especially when the name on the title differed from [redacted]’s name and that of his son. Not to have done so is professionally and legally negligent – corporate negligence for which Paul Wilson as Chief Executive is ultimately responsible.

In his 23 March 2023 email to me, Paul Wilson admitted “apparent anomalies” as to [redacted]’s stated relationship to the owner of the title to the land, in so doing admitting that no identity checks had been carried out by the District Council.

“In regard to the Council’s assertion that [redacted] Michael [redacted] is [redacted]’s son (17 February 2023 email) and your statement that [redacted]’s son is registered as Michael [redacted] [redacted] (All England & Wales Civil Registration Birth Index 1916-2007), as previously advised the District Council not reached the point where pre-contract due diligence checks had been undertaken into the legal ownership circumstances beyond HM land registry checks. I am sure that had we reached that point, these apparent anomalies would have been fully investigated and addressed at that time, prior to the Council pursuing any contractual agreements.”

That is to say ten months into detailed commercial negotiations regarding the Hasker Farm site, the District Council had still not carried out the statutory and common sense identity

checks on any of the three people with whom at face value they were negotiating. It is also clear that that the Chief Executive and his senior officers had not requested, seen or obtained any written legal authorisation by [redacted] Michael [redacted] or Michael [redacted] [redacted] for [redacted] to negotiate the sale of the parcel of land in question at Hasker Farm.

This is borne out by Mr Wilson responses on 23 March 2023 to several questions I had asked in my email to him of 3 March 2023.

In response to my question

“3. Please provide me with due diligence enquiries DDDC carried out to satisfy itself as to which of the three potential [redacted]s cited above, [redacted], Michael [redacted] [redacted] and [redacted] Michael [redacted], actually owned the land.”

Paul Wilson responded:

“Due to the preliminary nature of negotiations, no further due diligence checks have been undertaken beyond initial checks with HM Land Registry which confirm that the land is in the ownership of Mr. [redacted] Michael [redacted]. Copy of the title documents were provided in my email dated 17th February.”

In response to my question

“4. Please provide me with the legal or other basis upon which ‘The Council understands’ that [redacted] Michael [redacted] is [redacted]’s son, as opposed to Michael [redacted] [redacted]”

Paul Wilson responded:

“There is no legal or other basis since detailed pre-contract due diligence checks have not yet been undertaken due to the preliminary stage the discussions had reached. In discussions with officers, Mr. [redacted] has stated that the land is in the ownership of his son who based upon HM Land Registry title has been assumed to be Mr. [redacted] Michael [redacted].”

In response to my question

“5. Please provide me with the date and notes of the first meeting between Derbyshire Dales District Council officers or elected members and [redacted] Michael [redacted], the legal owner of the land for the proposed Traveller site at Hasker Farm, regarding the sale or lease of his land”

Paul Wilson responded:

“No such meetings have taken place.”

In response to my question

“6. Please provide me with the date and notes of the first meeting between Derbyshire Dales District Elected Members and [redacted] Michael [redacted], the legal owner of the land for sale for the proposed Traveller site at Hasker Farm, regarding the purchase or lease of his land”

Paul Wilson responded:

“No such meetings have taken place.”

In response to my question

“7. Please provide me with the date and notes of any and all subsequent meetings between DDDC officers and/or elected members and [redacted] Michael [redacted], the legal owner of the land for sale for the proposed Traveller site at Hasker Farm, regarding the purchase or lease of his land”

Paul Wilson responded:

“No such meetings have taken place.”

In response to my question

“8. Please provide me with the date and copies of any and all written communication, be it in written, electronic, text or WhatsApp or other formats, between DDDC and [redacted] Michael [redacted], the legal owner of the land for sale for the proposed Traveller site at Hasker Farm, regarding the sale or lease of his land”

Paul Wilson responded:

“No such communications have taken place.”

In response to my question

“9. Given that DDDC had been negotiating with [redacted] for the purchase of the land (as stated, for example, in 3 February 2023, 17 February 2023 emails), please provide me with a copy of the legal document, authorisation letter from the title holder, [redacted] Michael [redacted], authorising [redacted] to negotiate the sale or lease of his land on his behalf that would be held on file by DDDC”

Paul Wilson responded:

“No such documentation exists as discussions have been of a preliminary nature only with Mr. [redacted].”

It is also the case that none of these checks or due diligence were carried out in respect of Michael [redacted] [redacted].

In summary, when asked whether the Chief Executive or his senior officers had ever met or had any communication whatsoever with [redacted] Michael [redacted], the owner of the land the Chief Executive and senior officer of the District Council had spent ten months negotiating to buy, Mr Wilson admitted that “No such meetings have taken place” and that “No such communications have taken place.”

When asked if the Chief Executive or his senior officers had on file a legal document or authorisation letter from the title holder, [redacted] Michael [redacted], authorising [redacted] to negotiate the sale or lease of his land on his behalf, Mr Wilson admitted that no such document existed. This would contravene the *Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017* displayed on the Council’s website, best practice and basic common sense,

There was similarly no attempt on the part of the Chief Executive or his senior officers to meet or communicate with [redacted]’s son Michael [redacted] [redacted].

Mr Wilson and his fellow senior officers at the District Council demonstrated what can only be described as a staggering lack of curiosity with regards to who actually owned the land in question at Hasker Farm, followed by a staggeringly unprofessional approach to the legal requirement on them to legally identify the owner and the owner’s relationship to [redacted]. The anti-money laundering legislation and best practice that the Council Officers published on their website but pointedly did not adhere to is in place in large part to prevent criminals laundering their money by buying and selling property, including land, by way of establishing the identities of real and beneficial owners.

In his 22 February 2023 email to me Mr Wilson stated that “I agree that the amount of due diligence work that has been undertaken is limited”. The reality is that none had been carried out. This is a shocking admission from the Chief Executive of a local authority.

2.2 A Failure in Basic Record Keeping

The East Midlands Councils’ report made a finding of “Missing paperwork and lack of transparency” on the part of Derbyshire Dales District Council in the Hasker Farm scandal. As the Chief Executive of the District Council, Paul Wilson is responsible for systemic failures by his senior officers, namely Mr Braund, Mr Cogings and Mr Galsworthy, in not keeping written records, a central requirement of local government officers.

[In passing, it should again be noted that in addition to missing paperwork on the part of the District Council and its officers, they were also content to progress a six-figure business deal with absolutely nothing by way of paperwork from the prospective seller of the land at the heart of the Hasker Farm scandal, not a single word on any piece of paper, email or text.]

The importance of timely, complete and accurate written records of decisions and key matters discussed in meetings, conversations, emails and other communication formats speaks for itself. The Public Services Ombudsman clearly states that

“Managing records in the public sector should be viewed as a core corporate function, as well as a statutory obligation. The most senior official within a public body has overall responsibility for its records management compliance.”⁵¹ [Emphasis added]

Ombudsman guidelines state that good records management means: Complying with legal, regulatory, business, and accountability requirements; Creating a written record of decisions and key matters discussed in meetings, conversations, emails and other communication formats; Documenting the reasons for decisions; and saving records in a structured or managed way so they can be easily retrieved.⁵²

The lack of record keeping on the part of District Council officers involved in negotiating a six-figure deal is confirmed by the officers themselves. Mr Wilson confirmed that the Council’s communications with Mr [redacted] were just verbal: “That is consistent with all the contact with him – all contact is verbal, nothing in writing.”⁵³ Tim Braund also confirmed that all communications with Mr [redacted] had been verbal: “It was my understanding that that was how he worked.”⁵⁴ Mr Galsworthy stated that Mr [redacted] “is a face to face communicator. He has a mobile phone but does not do emails etc. We never had anything in writing from him/to him. There were discussions that took place . . . I’ve never seen anything in writing from him. A mobile phone call and face to face meetings.”⁵⁵ For senior local government officers to sit back, tolerate and accommodate such a questionable way of doing business can only but be described as yet another example of corporate professional negligence.

It should also be noted that Mr [redacted] was not incapable of reading or writing documents. Chris Whitmore, the District Council’s Head of Development Management, confirms that Mr [redacted] was able to read and fill out an official response to a Planning Contravention Notice with which he had been served.⁵⁶ His reluctance to put anything down on paper may well have been a habit he developed during his extensive involvement in crime.

⁵¹ *Good Records Management Matters*, Public Services Ombudsman for Wales, January 2022, available at <<https://www.ombudsman.wales/wp-content/uploads/2022/01/Good-Records-Management-Matters.pdf>>.

⁵² *Good Records Management Matters*, Public Services Ombudsman for Wales, January 2022, available at <<https://www.ombudsman.wales/wp-content/uploads/2022/01/Good-Records-Management-Matters.pdf>>.

⁵³ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 1.

⁵⁴ ‘Notes of Investigation Interview with Tim Braund’, 10 November 2023, East Midlands Councils, p.4.

⁵⁵ ‘Notes of investigation interview with Mike Galsworthy’, 10 November 2023, East Midlands Councils’, pp. 3, 4.

⁵⁶ ‘Notes of Investigation Interview with Chris Skidmore’, 15 November 2023, East Midlands Councils, p.2.

Cllr Susan Hobson, Deputy Leader of District Council, stated that “there wasn’t openness or transparency” in the Hasker Farm proposal. She also noted that no notes were taken at the regular Leadership meetings between the Chief Executive, the Leader and Deputy Leader of the District Council. Cllr Hobson stated: “More notes of meetings should have been kept. Rob Cogings didn’t have notes of meetings, it isn’t a good way of working . . .”⁵⁷

I can also attest to the fact that no written notes were kept by Council officers of any of my many meetings with the Leader of the Council and the Chief Executive, and in particular my queries about the progress in finding a permanent Traveller site. When I requested copies of written notes of my scheduled meetings with the Leader and Chief Executive, (Freedom of Information Request: FOI/7466/24, 20 March 2024), I received five documents, none of which were the notes or minutes of meetings as requested.

The poor record keeping practices at the District Council regarding the six-figure Hasker Farm project was shocking and in addition to any leadership meetings notes, included a lack of records as to precisely who actually owned the land subject to commercial negotiations, a lack of adequate notes taken during numerous site visits, a lack of any or adequate notes taken during key meetings between senior officers and the prospective vendor at the Town Hall, an absence of any notes of any financial negotiations or offers or counter-offers, a lack of records as to who took key decisions, how these decisions were made, no written agenda or attendance records for key meetings between officers and elected members of the Council and no minutes of what was discussed, said and what was actually agreed.

2.2.1 A Failure to keep records of the Members Briefing, 23 June 2022

In June 2022 Council officers prepared a “briefing” for elected Members of the Council with regard to the ongoing search for possible Traveller sites. In a 9 June 2022 email to all Councillors, Paul Wilson stated that the purpose of the workshop was, *inter alia*:

“To initiate a cross-party, whole Council discussion on how we progress the identification of temporary tolerated and permanent Traveller sites to meet identified needs and legal duties. To receive Member suggestions and discuss potential sites on Council land . . .”

Despite the stated need for discussion and suggestions from the Councillors, the Council officers failed to keep minutes of the meeting or keep notes of the discussion or suggestions at the meeting – something admitted by Mr Wilson in his interview with the East Midlands Councils’ investigators: “Officers didn’t take notes. It is a learning point.”⁵⁸ Nor did Council officers keep an attendance list, something also admitted by Mr Wilson: “There wasn’t a register taken, in hindsight a mistake . . .”⁵⁹ They led with a PowerPoint-style presentation.

⁵⁷ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 4.

⁵⁸ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 2.

⁵⁹ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 2.

Several possible sites, some well-known to Councillors, were mentioned. A possible new site was mentioned. There was a one line-reference to “Land off B5035 Middleton to Carsington Water” and two maps on one page. Hasker Farm was not mentioned by name.

Despite nothing being in writing or minuted, Mr Wilson and his officers decided to progress the unnamed site at Hasker Farm.

2.2.2 A Failure to keep records of the Members Briefing, 20 February 2023

This meeting was intended to brief Elected Members of the Council on the Hasker Farm project on the way to presenting it for approval to a full Council meeting in March 2023. The meeting was a very important one, coming in the wake of the considerable and unfavourable media coverage of the Council’s secret dealings with a convicted drug dealer regarding the prospective Hasker Farm site.

In his 30 January 2023 email to all Councillors, Paul Wilson stated that the purpose of the briefing was, *inter alia*, “to seek Member input and deal with questions prior to a potential report being presented to Council . . .” and “To agree next steps.” In a subsequent email to all Councillors, Mr Wilson stated that the purpose of the meeting was “to seek Member views on how we progress with the challenge of delivering a permanent Traveller site in the Derbyshire Dales.” In a subsequent 17 February 2023 email, Mr Wilson stated that the meeting would be to “seek Member views on the scope of a potential report to be presented to Council on 16th March 2023. To seek Member views on how the Council should now progress the delivery of a permanent Traveller site. To seek Member views on the next steps to be taken.”

Despite the importance of this meeting, Council officers did not prepare an agenda for the Elected Councillors present. Despite the important issues to be discussed – as clearly outlined by the Chief Executive – the Council officers once again failed to keep minutes of the meeting or keep notes of the discussion at the meeting. Mr Wilson confirms that “no notes” were taken. Nor did Council officers keep an attendance list. With the exception of the Leader and Deputy Leader of the Council, Cllr Purdy and Cllr Hobson, and one or two of the Councillors who had been contacted by the residents of Hasker Farm, none of the Councillors present at this meeting had any real knowledge of the Hasker Farm project. There was no written briefing for them. In fact the only briefing was one produced and distributed by the Hasker Farm Committee (local residents opposed to the site) and which senior Council officers had instructed Councillors to disregard.

2.2.3 A Failure by Officers to keep notes of meetings and financial discussions with [redacted]

The Hasker Farm project was costed in total at between £575,000 and £635,000, at the heart of which was a six-figure land deal with Mr [redacted]. In the course of its ten-month commercial engagement with [redacted], senior Council officers met with Mr [redacted] on at least 7 site visits and on least 2 key occasions at the Council Offices. There may well have been more meetings. The only notes or minutes that were said by the Chief Executive to have been made of these business meetings with Mr [redacted] during which six-figure land deals

were discussed and negotiated, and detailed architectural designs were discussed over 32 weeks, were four scrappy hand-written notes – one of them consisting of 5 lines – that are hard to read where not indecipherable and with redactions. The Chief Executive informed me that he was informed by Tim Braund that Mike Galsworthy, the District Council’s Estates and Facilities Manager, a key negotiator who had several key on-site and Town Hall meetings with [redacted], “has no written notes from any of the meetings he attended.”

The four short notes that were provided to me can be seen in the Appendices.

The lack of paperwork kept by senior Council officers is puzzling given that there were several clear references to agreements. Mike Galsworthy, for example, emailed Robert Cogings stating they “*can produce draft Heads of Terms for agreement*” following their visit to the site on 1 July 2022. Mr Cogings’ very short, handwritten note of the meeting with [redacted] on 27 November 2022 refers to “H of T by Xmas”, referring to a Heads of Terms agreement. When I pressed Mr Wilson for copies of these agreements or others I was told none existed.

A senior Councillor who was present at the 20 February 2023 Members Briefing has written to me stating that the Councillors at that meeting questioned the lack of notes and records kept by the officers:

“Why was there no record keeping by the officers of meetings with [redacted]? What would happen if an officer left or god forbid died? We would have no records, how is that acceptable? Surely Officers are guided by professional standards? There were very basic notes apparently, but these had never been written up and shared. That surprised the room.”

The Chief Executive also told me that not a single written communication, not a single word on paper, to or from [redacted] and the Council exists. [Emphasis added] In his 3 February 2023 email to me Paul Wilson stated that “only verbal discussions have been undertaken to date.” This was further confirmed in Paul Wilson’s 17 February 2023 email to me which stated that “all communications have remained verbal” and that “the vendor . . . has not engaged in any form of written correspondence”. This was confirmed by the Council’s lead officer on Hasker Farm, Rob Cogings. , has admitted that contact with Mr [redacted] “was all verbal”.⁶⁰

This lack of even basic paperwork, note-taking and record keeping on the part of a local government authority engaged in negotiating a six-figure land deal, and tolerating the vendor’s disinclination to put anything down in writing, was especially and unacceptably unprofessional, particularly as it was later established that senior Council officers knew that the vendor had a criminal background. It exposed the elected Councillors to a lot of criticism and added to the “climate of suspicion” referred to in the East Midlands Councils’ report.

The fact that the senior officers involved in the negotiations with the vendor knew the vendor was a criminal with a background in organised crime should have made them go out of their way to keep detailed records, notes and minutes of meetings.

⁶⁰ ‘Notes of investigation interview with Rob Cogings’, 10 November 2023, East Midlands Councils’, p. 4.

2.2.4 A Failure to notify the Elected Ward Councillor of any Council involvement regarding a permanent site, or pre-application planning requests in his Ward

In yet another glaring example of a failure in good governance and best practice, Cllr Richard Bright, the then sitting elected member for Hulland Ward, the ward within which Hasker Farm is situated, was not notified either of the potential proposed Traveller site or of a request for pre-application planning advice for the site. In his 7 February 2023 email to Rob Cogings, Cllr Bright stated that this was “undemocratic and shady to say the least”.

The Local government Association guidance on pre-application advice clearly states:

“[Local Planning Authorities] should ensure that their pre-application offer provides an opportunity for councillors to be actively involved in pre-application discussions as part of a transparent process . . . The arrangements for involving councillors will vary between authorities, but should generally include a range of options (proportionate to the scale and complexity of the proposal) for officers to bring councillors and developers together for the chance to exchange ideas and develop a scheme that meets the needs of the area. These arrangements should take appropriate account of the need for transparency and inclusion of the community.”⁶¹ [Emphasis added]

The Local Government Association and Planning Advisory Service publication *Probity in planning for councillors and officers* “recognises that councillors have an important role to play in pre-application discussions, bringing their local knowledge and expertise, along with an understanding of community views . . . Officers should be present with councillors in pre-application meetings.”⁶² [Emphasis added]

On balance it is more than likely that Cllr Bright was deliberately excluded from any pre-application meetings. Cllr Bright had been an elected member of the District Council for the Ward in question since 2015. It would be unimaginable that after eight years on the Council the Chief Executive and senior officers on what is a small local authority would not know that he was the elected councillor for Hulland Ward, especially given that as a matter of routine they had been sending him any number of official papers dealing with his ward, including automatic notices for previous pre-application planning and planning notifications for eight years.

Given that the Chief Executive had worked for the Council for decades, had presided over local government elections in all the wards within Derbyshire Dales, and had known Cllr Bright as a councillor since 2015, Mr Wilson’s somewhat studied need to consult an online Ordnance Survey election map to ascertain a ward within Derbyshire Dales represented by an elected

⁶¹ See, *10 commitments for effective pre-application engagement*, Local Government Association, <<https://www.local.gov.uk/sites/default/files/documents/10-commitments-effective--927.pdf>>, p.16.

⁶² See, Local Government Association, <<https://www.local.gov.uk/sites/default/files/documents/probity-planning-councill-d92.pdf>>.

member of the District Council, as showcased in his 7 February 2023 email to Rob Cogings and Tim Braund, is a deflection that would be amusing if it were not so obviously disingenuous.

The Chief Executive has also been unable to answer the obvious question which is that having conceded that they did not notify the correct Ward Councillor of the Hasker Farm project and the request for pre-Application planning advice, which Councillor was incorrectly advised? I have checked with all of the then neighbouring Councillors. It wasn't a case of Cllr Bright accidentally not being notified. The fact is that none of the elected Councillors for the Ward in question or in neighbouring wards were notified, something that could be seen as a deliberate failure in transparency.

2.3 Responsibility for the District Council's commercial engagement with a convicted career criminal

As Chief Executive of Derbyshire Dales District Council, Paul Wilson is ultimately responsible for the District Council's ten-month commercial engagement with a convicted career criminal, both as the person with overall responsibility for the activities of the Council and its employees and their activities in the name of the Council, and as someone – as noted in the East Midlands Councils' report at paragraph 6.54 – whom a senior Council officer stated was himself aware of Mr [redacted]'s criminality.

Derbyshire Dales District Council found itself engaged in commercial negotiations from May 2022 and February 2023 with [redacted], a twice-convicted career criminal Class A drug dealer involved in national organised crime subject to a Proceeds of Crime confiscation order. Senior Council officers Tim Braund and Rob Cogings, who were aware of Mr [redacted]'s criminality, were involved in business negotiations to acquire the parcel of land at Hasker Farm, Stainsbro Lane, Kirk Ireton, near Carsington Water in Derbyshire as a permanent Traveller site.

[redacted] had been found guilty of conspiracy to supply drugs in Hull, Derbyshire, Lincolnshire and Wiltshire. He was convicted in May 2006 at Hull Crown Court and jailed for five years. Hull Crown Court decided that [redacted] had benefited from his criminal lifestyle to the tune of £737,942.90, and he was ordered to sell his assets under a Proceeds of Crime Confiscation Order, but only £447,124.29 could be accounted for.⁶³ [redacted] was convicted a second time in 2014 at Leicester Crown Court for handling stolen goods, possessing drugs with intent to supply, conspiracy to supply drugs and conspiracy to conceal or convert criminal property. Fourteen drug dealers who had worked together supplying drugs across Derbyshire between the years of 2009 and 2012 were convicted alongside him as a result of the Police's 'Operation Chromium'. He received a sentence of 5 years and 9 months in prison which was then reduced to 4 years and 9 months on appeal.⁶⁴ It is believed that the son of one of the senior District Council officers very closely involved in the Hasker Farm negotiations was

⁶³ 'Drug dealer ordered to pay £447k', BBC News, 28 September 2007, available at <<http://news.bbc.co.uk/1/hi/england/humber/7018694.stm>>.

⁶⁴ '£1.6m Derbyshire drugs gang faces jail', *Derbyshire Times*, 22 October 2014, available at <<https://www.derbyshiretimes.co.uk/news/ps16m-derbyshire-drugs-gang-faces-jail-2261684>>.

convicted in 2014 for Class A drug dealing under the same Operation and at the same time as [redacted].

East Midlands Councils' investigators noted that he had "links to organised crime"⁶⁵ and that it is "widely accepted" that Mr [redacted] is subject to a Proceeds of Crime confiscation order.⁶⁶

It was professionally negligent of Paul Wilson as Chief Executive of Derbyshire Dales District Council to have let senior officers and employees of the District Council engage (or to continue to engage having been made aware of his criminality) with a convicted career criminal in business negotiations on behalf of the Council knowing the reputational damage to the Council of being associated with a known criminal. It was also professionally negligent of Mr Braund and Mr Cogings to have facilitated this engagement with Mr [redacted] knowing both his criminal background and the reputational damage to the Council of being associated with a known criminal.

As mentioned above in 2.1, in knowingly engaging with the convicted criminal at the centre of this scandal, the Chief Executive, Mr Braund and Mr Cogings were also professionally negligent in their duty of care to elected Councillors and Council employees, causing them to be in fear of intimidation and for their own safety.

2.4 Bringing Derbyshire Dales District Council into Disrepute

The East Midlands Councils' investigation stated at paragraph 6.146 that "all those we interviewed acknowledged the reputational damage to the Council of being associated with a known criminal". The Chief Executive himself admitted that for senior employees of the District Council to engage with a convicted career criminal in business negotiations on behalf of the Council would cause reputational damage to Derbyshire Dales District Council. In an email to me on 27 March 2023, for example, Mr Wilson agreed with me that "the reputational damage to the council [of commercial involvement with a convicted career criminal] would have been blindingly obvious to any local government officer". He stated that it would have been "blindingly obvious to me" and that he would not have touched any such deal with "a barge pole".

As mentioned in a previous section, the reputational damage was also clear to Councillors once they were told about Mr [redacted]'s criminality. A Councillor present at the 20 February Members Briefing noted that a

"[A senior opposition Councillor] said the optics of us dealing with a twice convicted drugs criminal would seriously damage the reputation of the district council. The room

⁶⁵ *The Report of the independent investigation into complaint made to Derbyshire Dales District Council by Paul and Ania Williamson and the Hasker Farm Committee, as submitted on 27th September 2023*, East Midlands Councils, 19 December 2023, p. 18, para 6.41.

⁶⁶ *The Report of the independent investigation into complaint made to Derbyshire Dales District Council by Paul and Ania Williamson and the Hasker Farm Committee, as submitted on 27th September 2023*, East Midlands Councils, 19 December 2023, p. 15, para 6.21.

agreed wholeheartedly with this sentiment. The fact [redacted] may be subject to proceeds of crime orders were raised.”

By bringing their employer, Derbyshire Dales District Council, into disrepute, through knowingly entering into and pursuing ten months of commercial negotiations on behalf of the Council with someone they knew to be a convicted career criminal, the Chief Executive, Mr Braund and Mr Cogings were both professionally negligent and guilty of gross professional misconduct. Their negligence cast what the East Midlands Councils’ report referred to damningly as a “climate of suspicion” over the District Council.

2.4.1 Senior Council Officers knew they were dealing with a convicted criminal

In addition to Paul Wilson, the reputational damage to the District Council noted above would have been equally blindingly obvious to senior local government officers such as Mr Braund and Mr Cogings and the other senior District Council officers who were aware of Mr [redacted]’s criminal past. The East Midlands Councils’ report confirms that these officers were aware of the reputational damage of any such involvement.

The East Midlands Councils’ investigation made a finding that Mr Braund and Mr Cogings did have knowledge that Mr [redacted] was a criminal prior to the 26 January 2023 email from Cllr Rose containing the BBC news article about him.⁶⁷ At paragraph 6.54, the East Midlands Councils’ Report notes that Mr Braund stated to the investigators that he had made Paul Wilson and Mike Galsworthy aware of Mr [redacted]’s previous convictions. The Report stated at paragraph 6.59 that Mr Braund’s and Mr Cogings’ knowledge of Mr [redacted]’s criminality “was probably shared more widely among senior officers, but they chose not to investigate further”. The Report also mentions a further unnamed officer who also informed Mr Braund about the vendor’s criminality. James McLaughlin, the Council’s then Director of Regulatory Services and Monitoring Officer, had also been aware of this. As mentioned above, the District Council is a small local authority and given the very small number of senior officers at the District Council, the question was not which officer knew that the Council was doing business with a criminal, but rather which officer didn’t.

The Chief Executive [redacted]t the District Council into disrepute by knowingly allowing the senior officers of the Council, namely Tim Braund, Director of Regulatory Services, Rob Cogings, Director of Housing, Mike Galsworthy, the District Council’s Estates and Facilities Manager and others to engage in a ten-month business negotiation with a twice-convicted career criminal drug dealer involved in national organised crime and subject to a Proceeds of Crime confiscation order to acquire land at Hasker Farm for a prospective permanent Traveller site.

The Chief Executive did so despite having been informed by Tim Braund that the person with whom he and fellow senior officers were negotiating had a criminal past.

⁶⁷ *The Report of the independent investigation into complaint made to Derbyshire Dales District Council by Paul and Ania Williamson and the Hasker Farm Committee, as submitted on 27th September 2023*, East Midlands Councils, 19 December 2023, p. 19, para 6.59.

2.4.2 The Chief Executive continued to progress the Hasker Farm project despite knowing the Council was dealing with a convicted criminal

The Chief Executive, Paul Wilson, showed professional negligence and misconduct not only in allowing his senior officers to enter into a commercial engagement with Mr [redacted] but also in recklessly continuing the Council's engagement with the criminal vendor even after having publicly been made aware of this involvement – despite stating that he had stopped the District Council's involvement in the project on 30 January 2023 – and as outlined above in paragraph 1.1.4.

There is no evidence of the Chief Executive or his senior Officers every seeking legal advice on the implications of the Council's prospective purchase of land at Hasker Farm from a convicted career criminal with a live Proceeds of Crime confiscation order. This was professionally negligent of Mr Wilson given that he allowed the Hasker Farm deal to progress to the 20 February Members Briefing – and unsurprisingly was one of the first questions raised by the Councillors who were present at that meeting.

2.5 A Failure in a Duty of Care for the Safety of Elected Members, District Council employees, Hasker Farm residents and members of the public

The Chief Executive and his senior officers have a duty of care to keep the elected Councillors they serve, and District Council employees for whom they are also responsible, safe. They should aim to achieve the highest standards of safety for Councillors and employees in the workplace and in the course of their duties.

It is clear that in initiating and pursuing, and allowing his senior officers such as Mr Braund, Mr Cogings and Mr Galsworthy to initiate and pursue, a commercial relationship on behalf of the District Council with a twice-convicted career criminal with involvement in organised crime, criminality of which he and his officers were aware at the time, the Chief Executive failed in his duty of care to elected Councillors and Council employees.

Upon learning of the criminal vendor's association with organised crime as it arose in the course of the 20 February 2022 Members Briefing – information not volunteered by the Council officers seeking to progress the Hasker Farm site but instead by way of an external briefing document provided to Councillors – several Councillors expressed concern about the implications of this business relationship.

Some Councillors then went to voice concern about their personal safety and were worried about intimidation and the consequences of them deciding to end the Council's commercial involvement with the criminal vendor and terminate the Hasker Farm project. Some were concerned about the fact that their names and addresses were publicly available on the website of the District Council. This was confirmed to me by a Councillor present at the 20 February Members Briefing who told me that

“[A] few councillors raised concerns about [redacted] and his potential to be violent. The concern was that every councillor's details are in the public domain.”

The Deputy Leader of the District Council, Cllr Hobson, made the safety concerns of her fellow Councillors very clear:

“At the Members’ briefing, one councillor was worried about withdrawing and didn’t want the individual [[redacted]] coming to their house . . .”⁶⁸

Cllr Hobson also observed that

“Some Members were worried about being involved in a decision to withdraw because of their own personal safety being at risk . . .”⁶⁹

Councillors’ fear for their personal safety was placed on record and confirmed in James McLaughlin’s 22 February 2023 email to Councillors, in which he stated that following the decision to terminate the project Council officers would have

“to make contact with . . . the individual with whom the Council has been in discussions regarding the potential development of the site. It was recognised that there were potential risks associated with this and a number of Members articulated their own concerns about personal safety and intimidation . . .” [Emphasis added]

One can only speculate what “potential risks associated” were entailed by informing Mr [redacted] that the District Council would not be going through with the business deal to purchase his/his son’s land at Hasker Farm save to say that they are the risks associated with doing business with a convicted career criminal associated with organised crime. These are risks associated which became almost immediately obvious to Councillors during their meeting on 20 February. These risks would also have been obvious to those senior officers who knowingly involved the District Council and the Councillors for whom they work in a business deal with the criminal vendor.

It is also clear from Mr McLaughlin’s communication to Councillors that it was not just Councillors who were in fear for their safety given whom the Council had been dealing with, but also employees of the Council, namely those employees who had to break the news to the convicted career criminal associated with organised crime. Mr McLaughlin stated in his email to Councillors:

“I do not intend to comment on the implications which Members have explored in respect of personal safety for those delivering the news . . .” [Emphasis added]

This was an extraordinary admission for Mr McLaughlin to have made.

Mr McLaughlin’s admission is corroborated by Rob Cogings. In his interview with East Midlands Councils’ investigators, Mr Cogings makes it very clear that he was concerned for

⁶⁸ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 4.

⁶⁹ ‘Notes of investigation interview with Cllr Sue Hobson’, 15 November 2023, East Midlands Councils’, p. 3.

his own personal safety. He stated that when it appeared that the Council would not be proceeding with the deal with [redacted] the Council officers decided not to

“confront him about his past of the fact that we wouldn’t be going ahead or offer him anything. I was thinking about my own safety and didn’t want to meet him on site again. It felt safer to meet him here [at the Town Hall].”⁷⁰ [Emphasis added]

Mr Cogings further confirmed that he was intimidated by Mr [redacted]:

“Once we knew about [[redacted]’s] past we needed to use a technical reason to end the discussions, I didn’t want to meet him on site and say his past was the reason we were ending our interest in the land.”⁷¹ [Emphasis added]

The unprofessional and negligent conduct of Mr Wilson, as Chief Executive, in allowing the District Council’s engagement with a twice-convicted career criminal to progress through to 20 February 2023, whether he knew about the vendor’s criminality at or shortly after the outset of the project, half-way through the negotiations or “officially” following Cllr Rose’s 26 January 2023 emails to the Leader of the Council, is self-evident. In not immediately terminating the relationship, he left elected Councillors not just politically exposed but quite clearly also in fear of possible intimidation and for their own personal safety – something the Councillors publically voiced at the 20 February briefing. It is also clear that Council employees were also placed in a similar position.

Former Derbyshire Dales District Councillor Clare Gamble also raised the personal safety and intimidation issues raised by Hasker Farm residents and members of the public in respect of the District Council’s commercial engagement with a convicted criminal. In a 16 February 2023 email to Paul Wilson, former Cllr Gamble states

“Are you confirming that Ms Davis Patterson has not had a reply about whether the [redacted] named as the landowner in question is the same [redacted] in two newspaper reports about high level drug convictions? Can you confirm whether Ms Davis Patterson will get a reply to this or whether this information will be withheld from the public. I know this is some time away, but at some point this council will need to decide whether to hold the meeting about the site in the public domain or not. If it decides to hold the meeting in public, there is a strong possibility that residents will want to speak. For speakers that are likely to speak against the proposed site there is the possibility they will face intimidation, as already outlined in an email to the council. For people to make an informed decision about the level of intimidation they may face, they should be made aware of any criminal associations and convictions.” [Emphasis added]

⁷⁰ ‘Notes of investigation interview with Rob Cogings’, 10 November 2023, East Midlands Councils’, p. 5.

⁷¹ ‘Notes of investigation interview with Rob Cogings’, 10 November 2023, East Midlands Councils’, p. 5.

In addition to elected Councillors and Council employees, the District Council's choice of business partner at Hasker Farm clearly contributed to a feeling of intimidation on the part of Derbyshire Dales residents.

In what can only be described as a cynical attempt to side-step the issues raised by Cllr Gamble, in his 16 February response to her email, Paul Wilson tried to backtrack on the issue of Mr [redacted]'s well-documented criminal record (something which Mr Wilson stated Derbyshire Police had categorically confirmed to him in person on 10 February 2023)

“whilst the Council does not hold data that would enable it to positively confirm or otherwise that Mr. [redacted] is the same [redacted] as featured in historic news articles, local knowledge suggests this to be the case. However, even if the Council did hold such data we would seek guidance from the Information Commissioner as to whether it would be appropriate to release this information given that it would be classified as sensitive personal data.”

That is to say, Mr Wilson contemplated hiding behind data “protection” to avoid having to divulge the fact that the District Council was commercially in bed with a convicted career criminal.

2.5.1 A Failure in a Financial Duty of Care to Elected Members and the Council

The Chief Executive and senior officers of the District Council involved the Council in a business relationship with a convicted career criminal still subject to a live Proceeds of Crime order for several hundred thousand pounds. A Councillor has written to me stating that at the 20 February 2023 Members Briefing, at which the Councillor was present:

“No mention was made [by the Council Officers] of the financial risk to the Council if the land was confiscated as a proceed of crime”

It would have been very clear to the Chief Executive and his senior officers, certainly from the BBC news item [redacted]t to the attention of the Chief Executive, Paul Wilson, at the end of January 2023, if they were not already aware of the fact, that the person they had [redacted]t into a business relationship with the District Council was still subject to a live Proceeds of Crime confiscation order. The District Council and its Council Tax payers could have lost a six-figure sum had the Council gone ahead with the purchase only for the land in question to have been deemed to come under the the vendor's live Proceeds of Crime confiscation order.

At no stage did the Chief Executive seek legal advice on this issue while progressing the purchase of the Hasker Farm site.

2.6 A Failure in Good Stewardship of public money

As part of the good governance, the Chief Executive is expected to ensure “good stewardship of public money”.⁷²

The East Midlands Councils’ report found that the District Council’s ten-month commercial engagement at Hasker Farm in pursuit of a permanent Traveller site – thousands of pounds spent in architectural plans, land valuations, surveys, visits from Severn Water and the National Grid – amounted to a waste of Council Tax payers’ money.

At paragraph 6.80, for example, the report states

“[W]e observe that it is very difficult to see how the scheme could ever have been financially viable or deliverable. In addition, it appears unlikely that the development could have been made acceptable in planning terms.”

At paragraph 6.143, the East Midlands Councils’ report states:

“Based on our experience . . . it is very hard for us to see how a positive recommendation could have been made to Full Council to continue with the proposal.”

In the light of the above observation by East Midlands Councils’, in a report into the Hasker Farm fiasco commissioned by Derbyshire Dales District Council, it is clear that the Council’s involvement in Hasker Farm was a failure in the “good stewardship of public money” and a failure in good governance for which Paul Wilson as Chief Executive of the District Council and those other senior officers involved must take full responsibility.

Conclusion

The facts underlying this Complaint are matter of record.

The District Council spent ten months negotiating a six-figure business deal to purchase a piece of land being offered by a convicted career criminal drug-dealer, someone whose identity the Council never verified as required by law and best practice, someone who was seeking to sell the land on behalf of someone else, whom Council officers never met or spoke to and whose identity was similarly never verified as required by law and best practice and who never provided the Council with any written authorisation for the property to be offered for sale in the first place, and who may or may not have himself been the real owner.

This business relationship continued despite several senior Council officers, including according to Tim Braund, the Chief Executive himself, knowing that the vendor was a career criminal and involved many on-site visits, as well as meetings in the Council offices, several revised architectural plans, surveys and valuations culminating in the Council offering £60,000, £80,000 and then up to £100,000 to the criminal for the land – all without a single word on paper from the vendor. All this was carried out without the knowledge of almost all

⁷² *Annual Governance Statement*, Derbyshire Dales District Council, available at <<https://www.derbyshiredales.gov.uk/your-council/policies-plans-and-strategies#h1>>.

of the Elected Members of the Council – who when made aware of what had been going on ended it immediately. The Chief Executive was then party to an attempt to cover up this systemic failure in professionalism and good governance which included a disingenuous account of why the project was terminated being released to the press. The Corporate Leadership Team at the Council, headed by the Chief Executive, were party to systemic failures in corporate leadership, management, transparency, honesty and accountability, failures in a duty of care to elected Councillors and Council employees and failure in a duty of financial care for the District Council and Council Tax payers.

Mr Wilson failed to exercise good governance at every level, not least of which in not terminating the Hasker Farm project the moment he was “officially” made aware of the fact that the District Council had been engaged in commercial negotiations with a convicted career criminal with links to organised crime, which would have been when he said he first had sight on 30 January 2023 of the email from Cllr Janet Rose attaching a news article outlining Mr [redacted]’s criminality.

Despite the Chief Executive’s declaration to East Midlands Councils’ investigators with regard to the prospective seller of the land at Hasker Farm, that “If we’d known about his criminal history, we wouldn’t have touched it with a barge pole”⁷³, and having agreed with me that the reputational damage to the Council of any such engagement was “blindingly obvious”, Mr Wilson was nonetheless very willing to let the project progress to the 20 February Members Briefing, more than three weeks after he had “officially” been made aware of Mr [redacted]’s criminal history on 30 January, when he and his Officers presented the Hasker Farm project to Councillors as part of a process to progress it to a meeting of full Council in March 2023. A responsible Chief Executive would have closed the project down immediately and not have let such a dubious and politically dangerous deal get anywhere near the elected Councillors he meant to guide professionally. Far from closing it down immediately as of 30 January – as he declared he had – Mr Wilson allowed his officers to continue to actively progress with the deal with Mr [redacted].

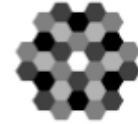
It is clear that left to itself the District Council and its officers cannot be relied upon to mark its own homework, as it were. Responding to a detailed complaint by the residents of Hasker Farm regarding the professional misconduct and unprofessionalism on the part of the Chief Executive and Council officers in respect of its proposed Hasker Farm site, an internal “review” by the District Council found no factual evidence of wrongdoing on the part of Council officers. An independent investigation by East Midlands Councils’, albeit an investigation criticised for structural and methodological shortcomings, nonetheless found evidence of several failures at the District Council, not least of which a “Lack of transparency and good governance” and “missing paperwork” and that there had been “Prior knowledge of convictions and of involvement in organised crime” on the part of senior Council officers in respect of a man with whom they were negotiating a six-figure business deal on behalf of the Council.

Yet further evidence of a lack of leadership and accountability at Derbyshire Dales District Council, is that even in light of the findings made by the East Midlands Councils’ investigation,

⁷³ ‘Notes of investigation interview with Paul Wilson’, 10 November 2023, East Midlands Councils’, p. 5.

there has to date been no disciplinary action taken by the leadership of the District Council in respect of the Chief Executive and other officers in respect of a number of serious breaches of the codes of conduct expected of local government officers and employees as well as failures to fulfil the statutory requirements of the District Council and its officers to carry out the identity checks required by law and best practice before knowingly initiating the District Council's ten-month business relationship with a convicted career criminal.

Appendix 1 A Title Deed for the proposed Hasker Farm site



Official copy of register of title

Title number DY485901 Edition date 06.11.2014

- This official copy shows the entries on the register of title on 31 MAY 2022 at 14:10:20.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 31 May 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Nottingham Office.

A: Property Register

This register describes the land and estate comprised in the title.

DERBYSHIRE : DERBYSHIRE DALES

- 1 (26.03.1993) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the west side of Stainsborough Lane, Callow, Kirk Ireton, Ashbourne.
2 (25.06.1997) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Transfer of land adjoining the southern and western boundaries of the land in this title dated 22 May 1997 made between (1) David William Victor Potter and Louisa Ann Potter (Vendor) and (2) Patrick John Rowland and Andrew Neil Rowland (Purchaser):-

"The Reservations are reserved out of this Transfer for the benefit of the Retained Land

The Property is transferred with the benefit of the Right

.....

The Rights

The right for the Purchaser and their successors in title or other the owners and occupiers of the Property to use for all proper purposes connected with the Property any drains watercourses pipes or other channels ... now laid in or under the Retained Land or any part of it with the right to run and pass water through and along the same with power at any time to enter the Retained Land for the purposes of repairing renewing inspecting maintaining or cleaning the same Subject to the person exercising such rights causing no unnecessary damage to the Retained Land and making good as soon as possible any damage actually occasioned

The Reservations

.....

Title number DY485901

A: Property Register continued

The right for the Vendor and their successors in title or other the owners or occupiers of the Retained Land to use for all proper purposes connected with the Retained Land any sewers drains watercourses pipes cables wires or other channels or conductors now laid in under or over the Property or any part of it with the right to run and pass soil water gas or electricity through and along the same with power at any time to enter the Property for the purpose of repairing renewing maintaining inspecting or cleaning the same Subject to the person exercising such right causing no unnecessary damage to the Property and making good as soon as possible any damage actually occasioned."

NOTE: The retained land referred to are the land and buildings known as Hasker Farm.

- 3 (20.07.2010) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of adjacent land dated 2 July 2010 made between (1) David William Victor Potter and (2) Jennifer Kirstie Talbot.

NOTE:-Copy filed under DY452206.

- 4 (22.11.2013) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of adjoining land dated 2 December 2012 made between (1) David William Victor Potter and (2) Claire Louise Wilson.

NOTE: Copy filed under DY479930.

- 5 (04.02.2013) By a Deed dated 31 January 2013 made between (1) Jennifer Kirstie Talbot and (2) David William Victor Potter the rights granted by clause 13.2.4 to the Transfer dated 2 July 2010 referred to above has been released to the extent therein mentioned.

NOTE: Copy filed under DY240450.

- 6 (29.07.2014) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 30 May 2014 referred to in the Charges Register.

- 7 (29.07.2014) The Transfer dated 30 May 2014 referred to in the Charges Register contains provisions as to light or air and boundary structures.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (29.07.2014) PROPRIETOR: JOHN MICHAEL BROUGH of 15 Vincent Avenue, Spondon, Derby DE21 7HB.
- 2 (29.07.2014) The price stated to have been paid on 30 May 2014 was £15,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (29.07.2014) A Transfer of the land in this title dated 30 May 2014 made between (1) David William Victor Potter and (2) John Michael Brough contains restrictive covenants.

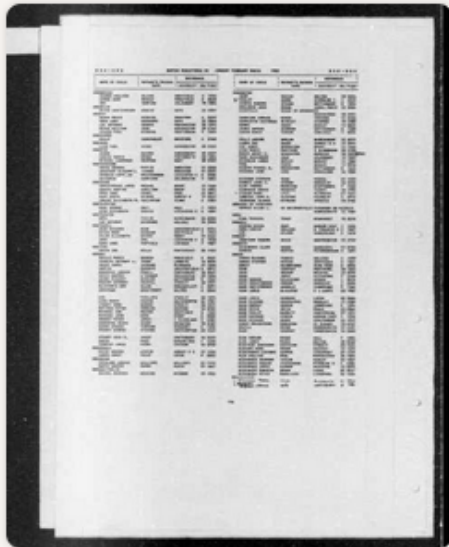
NOTE: Copy filed.

End of register

Appendix 2 Civil Registration Index Birth Record for Michael [redacted] [redacted], referencing his mother Andrea Ward, who was married to [redacted]

Michael John Brough

in the England & Wales, Civil Registration Birth Index, 1916-2007



[✎ Add or update information](#)

[⚠ Report a problem](#)

<u>Detail</u>	Source
Name	Michael John Brough
Registration Date	Jan 1982 [Feb 1982] [Mar 1982]
Registration Quarter	Jan-Feb-Mar
Registration district	Derby
Inferred County	Derbyshire
Mother's Maiden Name	Ward
Volume Number	6
Page number	0488

Appendix 3 Due Diligence Proof of Identity Checklist for individuals


Contents

[Proof of identity](#)

[Money laundering regulations](#)

[Proof of identity checklist for companies and other legal structures](#)

[Proof of identity checklist for individuals](#)

 [Print this page](#)

Proof of identity checklist for individuals

You cannot use one form of identification for both name and address.

For example, if you provide your driving licence as proof of your name you must provide another form of identification for your address, such as a utility bill.

Proof of name	Proof of address
Current signed passport	Utility bill (gas, electric, satellite television, landline phone bill) issued within the last three months
Original birth certificate (UK birth certificate issued within 12 months of the date of birth in full form including those issued by UK authorities overseas such as Embassies High Commissions and HM Forces)	Local authority council tax bill for the current council tax year
EEA member state identity card (which can also be used as evidence of address if it carries this)	Current UK driving licence (but only if not used for the name evidence)
Current UK or EEA photocard driving licence	Bank, Building Society or Credit Union statement or passbook dated within the last three months
Full old-style driving licence	Original mortgage statement from a recognised lender issued for the last full year
Photographic registration cards for self-employed individuals in the construction industry -CIS4	Solicitors letter within the last three months confirming recent house purchase or land registry confirmation of address
Benefit book or original notification letter from Benefits Agency	Council or housing association rent card or tenancy agreement for the current year
Firearms or shotgun certificate	Benefit book or original notification letter from Benefits Agency (but not if used as proof of name)
Residence permit issued by the Home Office to EEA nationals on sight of own country passport	HMRC self-assessment letters or tax demand dated within the current financial year
National identity card bearing a photograph of the applicant	Electoral Register entry or NHS Medical card or letter of confirmation from GP's practice of registration with the surgery

Appendix 4 The sum of the District Council Officers Notes regarding Hasker Farm

meeting notes [redacted] 3.1.23
notes notes → need to get a quote.

topo, engineering for drainage, visual landscape appraisal

ecology + trees → until March.
Highways ⇒ Wait.
Don't show widely the appraisal.

Also look at moorland. Find the reports for the Comm in transfer site
⇒ Add to format
→ Homes beyond parking.

Joinway application at best. Member briefing?

Personal needs of family.

11.8.22 Stainborough Lane

13047 13060

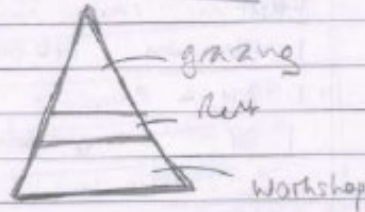
[redacted]

Agreed 4 pitches.
[redacted] happy with currently block.
Nile to any valuation.

17.11.22

Mike &

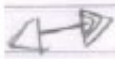
- gone back to value
- Small holding?
- bogshaws
-



- Phosphorus
 - HE grant.
- Not T by Xmas

On Mon 37,000 21yrs
15-20-21?

→ Phosphorus, Septic tank / Reed



Capital Programme → Mike's best project.
→ and also not in last time.

Mike or Nigel not make SMT/CLT.
- more in

19.12.22

NCHA the Agent - A/B → Program due to NCHT
Consolidated Payments.

Not allowance HB → Rules don't have

Reason of site

to be referred to the officer
need to know

- HB - Penalties
- Working age UK → go online.
- Disability related benefit.

- Rent offer → sets the limits.
not as high as grant needs - but -
replaces grant rent.

Approval for Mike

C.T. changes?

Appendix 5 The Chief Executive Progressing Work at Hasker Farm 9 days after being publicly informed that the Council was dealing with a twice-convicted career criminal and 10 days after stating that the Council had ended its involvement with the Hasker Farm site

From: Wilson, Paul
Sent: 08 February 2023 13:47
To: Purdy, Garry
Cc: Hobson, Susan
Subject: RE: Hasker Farm - issues

Cllr. Purdy,

We are aware of the access issues as we have done our own land registry checks on titles etc, however they are resolvable and discussions have taken place in order to address this. However, I will ask Mike Galsworthy or Rob to attend our meeting as they have had the discussions.

Paul

Paul Wilson
Chief Executive

Town Hall | Matlock | Derbyshire, DE4 3NN tel (01629) 761126 www.derbyshiredales.gov.uk |
newsletter | map

-----Original Message-----

From: Purdy, Garry
Sent: 08 February 2023 13:30
To: Wilson, Paul <paul.wilson@derbyshiredales.gov.uk>
Cc: Hobson, Susan <Susan.Hobson@derbyshiredales.gov.uk>
Subject: Hasker Farm - issues

Paul

I am only just learning about certain access issues around the above site and which are becoming clearer with the arrival of objection emails I believe it would be helpful if our Officers investigating this site attend the CEX meeting at 1pm next Monday Can you arrange please.

Sent from my iPad
Cllr Garry W Purdy BSc(Hons)
Leader Derbyshire Dales District Council Representing Masson Ward

Tim Braund Progressing Work at Hasker Farm 10 days after after being publicly informed that the Council was dealing with a twice-convicted career criminal, and 8 days after the Chief Executive stated the Council had ended its involvement with the Hasker Farm site

From: Braund, Tim
Sent: 06 February 2023 15:19
To: Cogings, Robert; McLaughlin, James
Cc: Wilson, Paul
Subject: RE: [OFFICIAL (SENSITIVE)] Land off Hasker Farm Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Rob

Thanks for the email. I agree that this para is key and I think we would be naïve if we did not understand that anything we say here may make its way into the public domain. Residents and some Members may well be keen to leap upon anything here that could be used to support not taking the site forward.

I think I would use the word 'adjacent' instead on 'close' in line 8 of that para and 'not immediately adjacent to' instead of 'away from' in line 11. It would also be good to explain what difference these issues might make in the consideration of the planning application – eg something about this tilting the balance in favour of the application.

Hope this helps

Tim

Tim Braund
Director of Regulatory Services



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From: Cogings, Robert
Sent: 01 February 2023 20:26
To: McLaughlin, James <James.McLaughlin@derbyshiredales.gov.uk>; Braund, Tim <tim.braund@derbyshiredales.gov.uk>

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Politics

Derbyshire council rejects residents' allegations of secret deal over Traveller site

Derbyshire Dales District Council has denied that it is resorting to underhand tactics to solve its long running failure to accommodate Gypsies and Travellers, following accusations from residents that a new, permanent pitching site is being prepared without any consultation.

By **Ed Dingwall**
Published 2nd Feb 2023, 13:32 GMT
Updated 2nd Feb 2023, 13:32 GMT

The council has yet to meet a legal obligation which required it to provide six pitches in the district by 2019 – rising to seven in 2024 and nine by 2034 – despite

'Derbyshire council rejects residents' allegations of secret deal over Traveller site', Derbyshire Times, 2 February 2023, available at <<https://www.derbyshiretimes.co.uk/news/politics/council/derbyshire-council-rejects-residents-allegations-of-secret-deal-over-traveller-site-4011575>>.

D News • Local news • Matlock

I Fury at 'deception' over 'secret' Traveller site plans near Carsington Water

Councillors claim they too have been kept in the dark

NEWS By **Eddie Bisknell** Local Democracy Reporter

15:22, 8 FEB 2023

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Hasker Farm in Callow, near Kirk Ireton, a site for a proposed traveller site. (Image: Gareth Butterfield)

Residents and councillors are fuming over “secret” plans for a potential Derbyshire Traveller site, claiming they have been deceived by the council responsible. A Kirk Ireton Parish Council meeting last night (Tuesday, February 7) discussed the potential Traveller site on a vacant field near Hasker Farm, a stone’s throw to the east of tourism hotspot Carsington Water.

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‘Fury at “deception” over “secret” Traveller site plans near Carsington Water: Councillors claim they too have been kept in the dark’, *Derby Telegraph*, 8 February 2023, available at <<https://www.derbytelegraph.co.uk/news/local-news/fury-deception-over-secret-traveller-8126175>>.

News • Local news • Environment

'Secret' plans for Traveller site near Carsington Water dropped

It comes after councillors and residents voiced their frustrations and the secrecy of the process

NEWS By **Eddie Bisknell** Local Democracy Reporter
05:00, 24 FEB 2023

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The proposed site sits less than 1,000 metres from Carsington Water (Image: Google)

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A potential Derbyshire Traveller site has been dropped by a council amid accusations over alleged deceit and secrecy. The site, in a field at Hasker Farm, which is a stone's throw from to the east of tourism hotspot Carsington Water, has been dropped by [Derbyshire Dales District Council](#)



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“Secret” plans for Traveller site near Carsington Water dropped: It comes after councillors and residents voiced their frustrations and the secrecy of the process’, *Derby Telegraph*, 24 February 2023, available at <<https://www.derbytelegraph.co.uk/news/local-news/secret-plans-traveller-site-near-8181270>>.

D News • Local news • Politics

I Derbyshire Dales council pursued land deal with convicted drug dealer for months

The council's chief executive admitted the authority does not routinely check the backgrounds of its proposed business partners.

NEWS By **Eddie Bisknell** Local Democracy Reporter
12:18, 21 MAR 2023

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Hasker Farm in Callow, near Kirk Ireton, where a plot had been pursued as a potential Traveller site (Image: Gareth Butterfield)

The leadership of a Derbyshire council pursued a secretive land deal with a convicted drug dealer for months, emails have revealed. Derbyshire Dales District Council officers discussed a deal with Kevin Brough over land his son owns at Hasker Farm off Stainsbro Lane, near Kirk Ireton and Carsington Water, for more than eight months – between May 2022 and February 2023.

Emails from the council, seen by the Local Democracy Reporting Service, show that the authority's

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'Derbyshire Dales council pursued land deal with convicted drug dealer for months: The council's chief executive admitted the authority does not routinely check the backgrounds of its proposed business partners', *Derby Telegraph*, 21 March 2023, available at <<https://www.derbytelegraph.co.uk/news/local-news/derbyshire-dales-council-pursued-land-8273181>>.

D News • Local news • Politics

'Arrogant' Derbyshire Dales District Council slammed over dealings with convicted criminal for Traveller site

'While 'no comment' may be an effective position for a criminal in a police interview, for a public body that is supposed to command the respect of the people that it is supposed to serve it is infantile at best,' one councillor said

NEWS By **Eddie Bisknell** Local Democracy Reporter
04:00, 27 MAR 2023 | UPDATED 08:07, 27 MAR 2023

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Hasker Farm in Callow, near Kirk Ireton, where a plot had been pursued as a potential Traveller site (Image: Gareth Butterfield)

A Derbyshire councillor has slammed a council's "arrogant" lack of comment or explanation over its private dealings with a convicted drug dealer over a Traveller site.

Cllr Clare Gamble spoke in a Derbyshire Dales District Council meeting late last week to voice concerns over the authority's "integrity".

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“Arrogant” Derbyshire Dales District Council slammed over dealings with convicted criminal for Traveller site’, *Derby Telegraph*, 27 March 2023, available at <<https://www.derbytelegraph.co.uk/news/local-news/arrogant-derbyshire-dales-district-council-8291644>>.

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'REPUTATIONAL DAMAGE' PUT PAID TO NEW TRAVELLER SITE

■ DERBYSHIRE DALES DISTRICT COUNCIL'S CHIEF EXECUTIVE HAS ADMITTED THE REAL REASON THE AUTHORITY DROPPED A POTENTIAL TRAVELLER SITE - THE RISK OF REPUTATIONAL DAMAGE FROM WORKING WITH A CONVICTED DRUG DEALER, NOT FINANCIAL VIABILITY. SEE PAGE 3



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EDDIE RISKMELL
Local Democracy Reporter

Council chief gives real reason for dropping potential Traveller site

DERBYSHIRE Dales District Council's chief executive has admitted the real reason the authority dropped a potential Traveller site - the risk of reputational damage from working with a convicted drug dealer, not financial viability.

On February 22, Derbyshire Dales District Council issued a statement saying it had dropped potential plans for a Traveller site at Hasker Farm close to the eastern bank of Carsington Water.

It claimed this was because the site was not "financially viable for the council or deliverable". However a March 27 email sent by chief executive Paul Wilson to Dales MP Sarah Dines, obtained by the Local Democracy Reporting Service via a Freedom of Information request, confirms the real reason.

This follows a March 21 article from the LDRS which detailed how the council had pursued a land deal at Hasker Farm by working with a convicted drug dealer, Kevin Brough, who was acting on behalf of his son, who owns the land.

In his March 27 email Mr Wilson writes: "In the period 2nd February - 10th February, Derbyshire Constabulary were looking into the material that I had provided to them and it was not until after my discussion with Derbyshire Constabulary on 10th February that I was in a position to formally update ex Cllr (Garry) Purdy.

At that point, ex Cllr Purdy agreed with my advice that the council should not proceed any further with this matter and that we should cease all engagement with Mr Brough.

"The council's officers therefore disengaged from the process at this point because as you quite rightly state, the reputational damage to the council would have been blindingly obvious to any local government officer."

"It was blindingly obvious to me hence the advice I provided ex Cllr Purdy and the reason why no further negotiations took place after 10th February."

Ms Dines, in a March 24 email, asked why the authority "misled the media and public" "by claiming in a council press statement on 22 February 2023 that the council ended its involvement with the Hasker Farm site because it was not 'financially viable' when the real reason, in the words of the then leader of the council, following information from Derbyshire Police, was that 'it became patently clear that we had to withdraw with immediate effect from any further negotiations with Mr Brough'?"

In response, on March 27, Mr Wilson wrote: "The statement issued by the council on 22nd February was a statement agreed with all of the political group leaders following the member briefing on 20th February 2023, hence the slight delay experienced in its publication pending formal sign-off.

During that workshop, members concluded that they felt that the scheme was not financially viable and wished for this to be reflected in the statement that was to be issued.

"In doing this, members asked officers to prepare a draft statement for

The real reason has now been disclosed through a Freedom of Information request



Hasker Farm in Callow, near Kirk Ireton, where a plot had been pursued as a potential Traveller site



The proposed site sits less than 1,000 metres from Carsington Water

approval by political group leaders, which was done."

The LDRS asked the council why it gave the reason of financial viability instead of reputational damage and a spokesperson said: "Our statement at the time that the authority had agreed as part of its due diligence process that the site was not financially viable for the council or deliverable was the council's official position on the matter and was agreed by group leaders following a briefing that all members were invited to attend."

Derbyshire Dales District Council officers discussed a deal with Kevin Brough over land his son owns at Hasker Farm off Stainsbro Lane, near Kirk Ireton and Carsington Water, for more than eight months - between May 2022 and February 2023.

Emails from the council, seen by the Local Democracy Reporting Service, show that the authority's leadership were aware of Kevin Brough's identity but did not carry out any

background checks or even a Google search to discover that he is a convicted drug dealer.

The authority did not contact Derbyshire police until eight months into its negotiations to enquire about Kevin Brough's publicly available criminal background and appears to have only done so after a councillor sent them a news article about one of his convictions - following contact from residents and media.

The vast majority of councillors, including the local ward member,

were not aware of the potential deal being pursued or its ownership, with officials and "political leadership" choosing to keep all information highly confidential, even when requesting quotes from utility firms, emails show.

The reasoning given for this by the authority's chief executive, Paul Wilson, was the "racial prejudice" which Travellers faced, which hampered the authority's long-held failed legal duty to find permanent sites in the district.

“Our statement at the time that the authority had agreed as part of its due diligence process that the site was not financially viable for the council”



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Derbyshire council chief executive admits the real reason the authority dropped potential Traveller site

A Derbyshire council chief executive has admitted the real reason the authority dropped a potential Traveller site - the risk of reputational damage from working with a convicted drug dealer, not financial viability.

By **Eddie Bisknell**, Local Democracy Reporter

Published 1st Jun 2023, 09:50 GMT

Updated 1st Jun 2023, 09:50 GMT



On February 22, [Derbyshire Dales District Council](#) issued a statement saying it had dropped potential plans for a Traveller site at Hasker Farm close to the eastern bank of Carsington Water. It claimed this was because the site was not *“financially viable for the council to deliver”*.

‘Derbyshire council chief executive admits the real reason the authority dropped potential Traveller site. A Derbyshire council chief executive has admitted the real reason the authority dropped a potential Traveller site - the risk of reputational damage from working with a convicted drug dealer, not financial viability’, *Derbyshire Times*, 1 June 2023, available at <https://www.derbyshiretimes.co.uk/news/politics/council/derbyshire-council-chief-executive-admits-the-real-reason-the-authority-dropped-potential-traveller-site-4165254>.

D News ▾ Local news ▾ Derbyshire Dales District Council

Hasker Farm 'scandal': Investigation finds 'significant error of judgement' and transparency issues at Dales council

Derbyshire Dales MP Sarah Dines has called for the council's chief executive to resign over the 'scandal'

NEWS By **Eddie Bisknell** Local Democracy Reporter

16:34, 8 FEB 2024 | UPDATED 16:54, 8 FEB 2024

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Hasker Farm in Callow, near Kirk Ireton, where a plot had been pursued as a potential Traveller site
(Image: Gareth Butterfield)

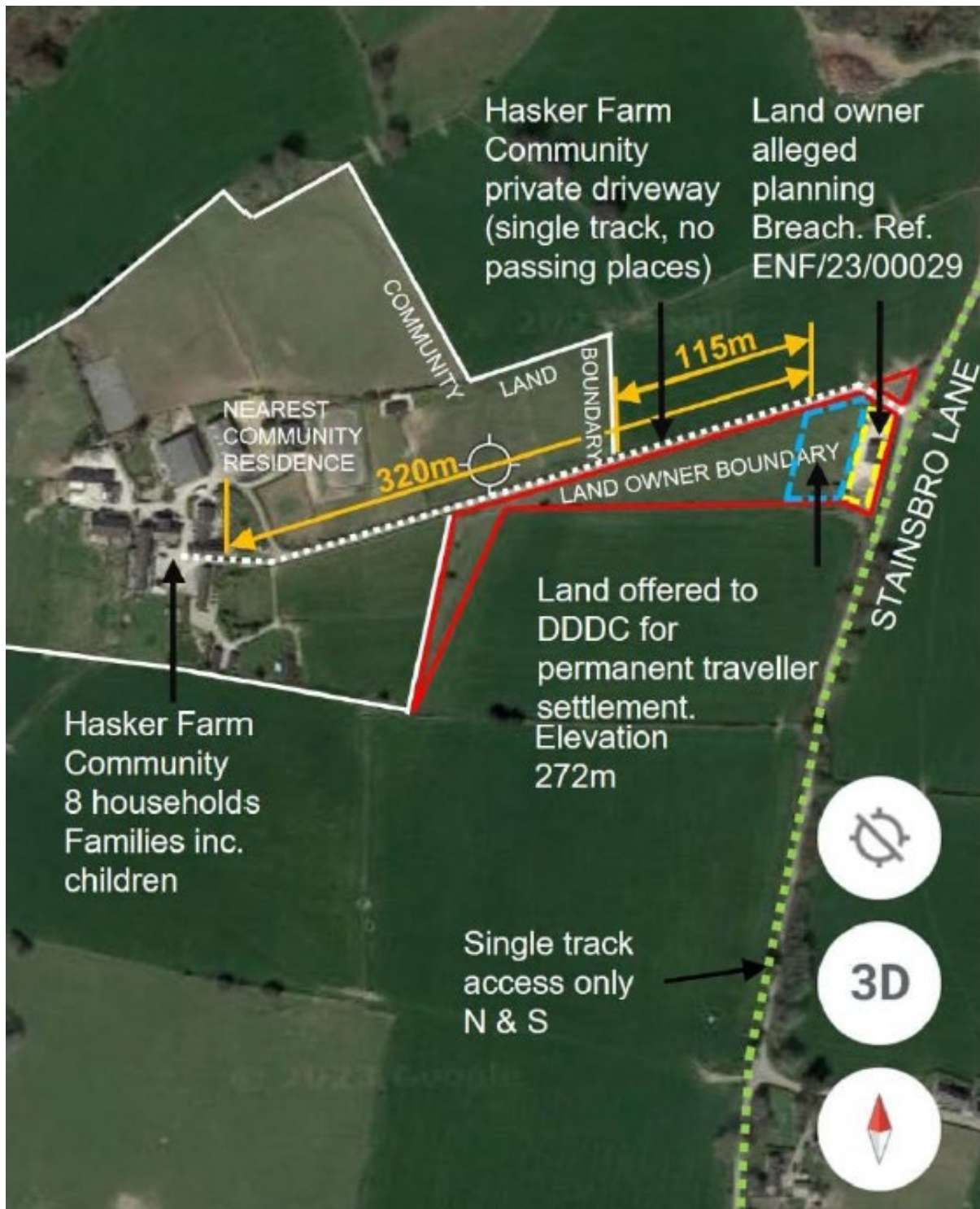
Transparency issues, poor governance, improper record keeping and a "significant error of judgement" have been found in a Derbyshire council's secretive handling of a potential Traveller site – including knowingly working with a convicted drug dealer. An external report, carried out by the East Midlands Councils on behalf of [Derbyshire Dales District Council](#), investigated the events

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'Hasker Farm "scandal": Investigation finds "significant error of judgement" and transparency issues at Dales council', *Derby Telegraph*, 8 February 2024, available at <https://www.derbytelegraph.co.uk/news/local-news/hasker-farm-scandal-investigation-finds-9087402>.

Appendix 7 The proximity of the proposed Traveller site to the nearest neighbours



Appendix 8 Misleading District Council Description of the Hasker Farm site

From: [REDACTED]
Sent: 11 May 2022 16:08
To: [REDACTED]
Subject: Travelers Site call

Hi [REDACTED],

I have someone who has a site to put forward.

[REDACTED]

The site is just out of Wirksworth on the Ashbourne Rd – On the private drive off Asker Farm, not near any residential properties – Already has water and electric, sewerage and parking

Sounds ideal! ☺

[REDACTED]
Home Options Officer



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Direct Line: [REDACTED]

HousingAdvice@derbyshiredales.gov.uk
www.derbyshiredales.gov.uk

Appendix 9 Email from Dr Siobhan Spencer to Tim Braund regarding financial assistance for Hasker Farm site

From: [REDACTED]
Sent: 27 February 2023 11:18
To: Braund, Tim <tim.braund@derbyshiredales.gov.uk>
Subject: RE: Hasker land)

<p style="border-style: solid; border-color: #ff0000; text-align: center;">Warning External</p> Hi
Tim Things are a little calmer now, how are things going to proceed now that this has been knocked out of the water?
(I feel a bit prematurely as I did say DDDC could come back to see how we may be able to help cost wise.)

[REDACTED]