



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Julian Critchlow, former Director General Energy Transformation & Clean Growth, Nyobolt Ltd.

1. Mr Critchlow sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former Crown servants (the Rules) on an appointment he wishes to take up as a non-executive director with Nyobolt Ltd (Nyobolt). The material information taken into consideration by the Committee is set out in the annex.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during Mr Critchlow's time in post, alongside the information and influence he may offer Nyobolt.
3. The Committee has advised that a number of conditions be imposed to mitigate the potential risks government associated with this work under the Rules; this does not imply the Committee has taken a view on the appropriateness of this appointment in any other respect.
4. The Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

5. When considering this application the Committee² noted there is no relationship between Nyobolt and Mr Critchlow's former department, the Department for

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The Queen's Regulations and the Diplomatic Service Code

² This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Sarah de Gay; Isabel Doverty; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; Lord Larry Whitty. Jonathan Baume and were unavailable.

Business, Energy and Industrial Strategy (BEIS). The department confirmed he did not meet with, nor make any decisions specific to Nyobolt whilst he was in post. Therefore, the Committee considered there is no reason it might be perceived this appointment is a reward for decisions made or actions taken from his time in government service.

6. As the former Director General responsible for Clean Growth at BEIS, the Committee noted Mr Critchlow may have had general access to information that could be seen as useful. However it noted responsibility for the relevant policy area sat elsewhere in the department and confirmed Mr Critchlow did not have access to information that could provide an unfair advantage. Further, 6 months have passed since he was in post. It is also significant that Mr Critchlow has gained expertise and knowledge in this sector from many years' experience outside of the government, in the private sector.
7. There is an inherent risk Mr Critchlow's contacts within government could offer an unfair advantage to Nyobolt, especially if the company sought to obtain funding from or to lobby the government in the future.

The Committee's advice

8. The Committee recognised the opportunity for Mr Critchlow to offer an unfair advantage is limited, given BEIS's assessment of the risks attached to his access to information, the time that has passed since he left office; and that Mr Critchlow is prevented from drawing on such privileged information by the conditions below and his ongoing duty of confidentiality.
9. The Committee also noted Mr Critchlow's role does not involve contact with the government. The Committee would, however, draw his attention to the restrictions below which make it clear he must not lobby or become involved in bids and contracts related to the government in this role.
10. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee's advice to the Prime Minister is this appointment with **Nyobolt Limited** be subject to the following conditions:
 - he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government or its arms length bodies, on behalf of Nyobolt Limited (including parent companies, subsidiaries, partners and clients). Nor should he make use, directly or indirectly, of his government and/or Crown service contacts to influence policy, secure funding/business or otherwise unfairly benefit Nyobolt Limited (including parent companies, subsidiaries, partners and clients); and
 - for two years from his last day in office he should not advise Nyobolt Limited (or its parent companies, subsidiaries, partners and clients) on the terms of,

or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government or its arms length bodies.

14. By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Ministerial Code or otherwise.
15. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office." This Rule is separate and not a replacement for the Rules in the house
16. Mr Critchlow must inform us as soon as he takes up employment with this organisation(s), or if it is announced that he will do so. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments that have not been taken up or announced. This could lead to a false assumption being made about whether he has complied with the Rules.
17. Please also inform us if Mr Critchlow proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.
18. Once the appointment(s) has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

Yours Sincerely,

Isabella Wynn
Committee Secretariat

Annex - Material information

The role

1. Mr Critchlow wishes to join Nyobolt as a paid, part-time Non-Executive Director of its Board. Mr Critchlow said Nyobolt develop rapid charging energy storage units for broad use of applications (e.g. domestic appliances; industrial robots)
2. The website states Nyobolt is commercialising high-power, ultra-fast-charging Li-ion batteries. The company's technology builds on a '*...decade of battery research led by University of Cambridge battery scientist Professor Clare Grey and is exclusively licensed from the University*'. The website states Nyobolt has '*...assembled a world-leading implementation team combining decades of experience at Tesla, Lotus, Samsung, Dupont, Dyson, General Electric, A123, Innovate UK and Arthur D. Little through operations in the UK, US, and Asia. The company recently secured \$10 million in Series A funding to build pilot facilities and grow engineering and application capabilities*'.
3. The funding referenced on their website was led by IQ Capital (which states it uses it '*...expert deeptech knowledge and extensive global connections to support our founders from seed to exit*'), with participation from Cambridge Enterprise and Silicon Valley investors.
4. He said he will become a non-executive board director and would not involve any contact with government.

Dealings in office

5. Mr Critchlow advised the Committee he did not meet with Nyobolt while in post and there is no relationship between the BEIS and Nyobolt. Further, he said he did not have any involvement in relevant policy development or decisions that would have affected Nyobolt and no commercial or contractual responsibilities relating to Nyobolt. Further, he did not meet with competitors of Nyobolt; nor did he have access to sensitive information regarding these competitors.

Department Assessment

6. BEIS confirmed the details provided and confirmed Mr Critchlow was not involved in policy surrounding energy storage units and any involvement would be indirect and insignificant as this responsibility for batteries lies in a separate part of the department to the one Mr Critchlow managed.
7. The department confirmed he did not have access to information that would provide an unfair advantage. BEIS has also confirmed to the Committee that the majority of the information Mr Critchlow had access to has either been published or has been significantly moved on since he left government in March 2021 (6 months ago).
8. The department has no concerns with this appointment and said this potential appointment of the applicant as a non-executive board director of Nyobolt, a

fast growth UK technology business, would support the government's aims on decarbonisation. He brings knowledge of the energy system built up during his long career in the sector, his personal commitment to energy technology, as well as his experience as a seed investor and adviser to fast growth technology businesses.

9. BEIS recommended this appointment be subject to the standard conditions.