



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon George Eustice MP, former Secretary of State for the Department of Environment, Food and Rural Affairs (Defra), paid commission with Tremap Ltd under his independent consultancy.**

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) on taking up a role with Tremap Ltd under your independent consultancy.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer Tremap Ltd. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

## **The Committee's Consideration**

5. The Committee<sup>1</sup> considered this commission to be consistent with the description of your consultancy- providing strategic advice on policy affecting the environmental sectors; developing business models; and implementing/complying with regulatory frameworks.
6. You were not involved in any decisions specific to Tremap Ltd or its work in mapping and recording trees whilst you were in office, nor is there a relationship between the company and your former department. Therefore, the Committee considered there is limited risk that this commission can reasonably be perceived as a reward for decisions made in office.
7. As the former Secretary of State for Defra, you would have had access to sensitive information which may be seen to benefit Tremap Ltd. The Committee considered three significant mitigating factors:
  - your policy involvement was not specific to the company.
  - you did make policy that indirectly relates - for example in relation to tree planting, land use, and the Nature for Climate Fund. However, Defra is of the view that your access to relevant information is limited because it has been altered or is already in the public domain.
  - you have been out of office for almost 11 months and during that time there have been changes in government administrations (two new Prime Ministers have been appointed, a new Cabinet formed in September and October, including two new Secretaries of State for Defra)
8. As a former Secretary of State for Defra, there are risks associated with your influence and network of contacts gained within government. The Committee notes your description of the proposed work includes having no direct contact with ministers and officials. The Committee would take this opportunity to remind you that facilitating indirect contact to influence government decisions on behalf of Tremap Ltd would be inappropriate given the lobbying ban below (which applies to all former ministers for two years on leaving office).

## **The Committee's Advice**

9. There are risks associated with your general access to sensitive information, and potential influence within and outside government - particularly given the

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<sup>1</sup> This application for advice was considered by Richard Thomas; The Rt Hon Lord Pickles; Mike Weir; Andrew Cumpsty and The Baroness Jones of Whitchurch. Sarah de Gay, Jonathan Baume and Isabel Doverty were unavailable.

company operates within a sector which you had responsibility for as Secretary of State.

10. The Committee considered the conditions attached to your consultancy appropriately mitigate the risks. They seek to prevent the improper use of information, contacts and influence to the unfair advantage of Tremap Ltd.

11. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this commission with **Tremap Ltd**, should be subject to the same conditions applied to your independent consultancy:

- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in ministerial office;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of Tremap Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service contacts to influence policy, secure business/funding or otherwise unfairly advantage Tremap Ltd (including parent companies, subsidiaries, partners and clients);
- for two years from your last day in ministerial office, you should not provide advice to on behalf of Tremap Ltd (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK government or any of its arm's length bodies;
- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office and in other governments and organisations for the purpose of securing business for Tremap Ltd; and
- for two years from your last day in ministerial office, before accepting any commissions for your independent consultancy and or/before extending or otherwise changing the nature of your commissions, you should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.

12. The advice and the conditions under the government's Business Appointment Rules relate to an individual's previous role in government only; they are

separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is an individual's responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

13. 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 Civil Service Code or otherwise.
14. 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.*"
15. You must inform us as soon as your commission is live or is announced. You must also inform us if you propose to extend or otherwise change the nature of your consultancy as, depending on the circumstances, it may be necessary for you to make a fresh application.
16. Once the appointment 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.

The Rt Hon Lord Pickles

## **Annex - Material information**

### Commission with Tremap Ltd

1. You said Tremap is a small tech startup that seeks to digitise and map trees of special interest around the world. Its service is aimed at Local Authorities seeking better data in relation to Tree Protection Orders, veteran or notable trees. You said this tool would be useful for helping Local Authorities and others deliver their responsibilities under the Biodiversity Net Gain.
2. As an Adviser to the Board, you said you will be responsible for:
  - advising the Board on how the company can move to revenue generation
  - assisting the Board in presentations to potential investors
  - providing strategic counsel to the Board.
3. You said that you made Tremap aware that you are unable and unwilling to speak to officials or ministers in government on their behalf in relation to policy or regulatory issues.
4. You said that you have known the Chairman of Tremap, Jonathan Jones for over a decade. You said the Chairman offered you the role in June 2023.

### Dealings in office

5. You said you attended a small showcase at Downing Street in the Spring 2021 where you met Tremap.

### Department assessment

6. Defra said while you were Secretary of State decisions were taken on a range of policies including tree planting, land use, and the Nature for Climate Fund. The department said that policy from your time in office had either been published, or is of date.
7. Defra said that you would not have been involved in any funding of contractual decisions relevant to Tremap.
8. Defra recommended standard conditions.