



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: GARETH HALL

The Committee has been asked to consider an application from Gareth Hall, former Director General in the Welsh Government. He has applied to establish an independent consultancy advising and supporting major developers and local authorities on approaches to planning matters relating to complex major energy infrastructure projects. This would include facilitation, risk management and securing legacy benefits, and dealing with devolved matters. Mr Hall had been on secondment to the Isle of Anglesey County Council since January 2011, in a role supporting major energy projects, and remained on secondment until his last day in Crown service on 30 September 2015.

The Committee noted that as an independent consultant Mr Hall would like to accept a commission with the Isle of Anglesey County Council. With the council, Mr Hall would be providing services very similar to those during his period on secondment with them. Mr Hall has stated that both the council and Horizon Nuclear Power, the developer of a new nuclear power station at Wylfa in Anglesey, wish for him to continue working with them up to the determination of the various planning applications.

The Committee took into account the views of the Welsh Government and their recommendation that in all the circumstances, and in view of the fact that Mr Hall's employment had been terminated on a Voluntary Exit Scheme, a three month time restriction with regard to these commissions would be appropriate.

The Committee's advice to the First Minister is that it can see no reason why Mr Hall should not establish this consultancy, subject to the following conditions:

- A waiting period of three months from his last day of service before he takes up the commission with the Isle of Anglesey County Council;
- For two years from his last day of service, he should not become personally involved in lobbying the Welsh Government on behalf of any of his clients or those he advises;
- He should not draw on (disclose or use for the benefit of himself or the organisation to which this advice refers) privileged information available to him from his time in Crown service;

- For 12 months from his last day of service he should not undertake any work as a consultant which involves providing advice to any company or organisation on the terms of a bid or contract relating directly to the work of the Welsh Government; and
- For two years from his last day of service, before accepting any new commission he should make a case directly to the Committee to confirm that each individual commission he wishes to undertake would be permissible under the approved terms of the consultancy. (If, after enquiry, the Committee takes the view that a commission is, or may be, outside the terms of the consultancy he will be expected to submit a fresh application).

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.

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

I would be grateful if you would let us know whether the First Minister is content to approve the application in line with the Committee's recommendation, and copy us into the final decision. I should also be grateful if you would ensure that we are informed as soon as Mr Hall undertakes any of this work, or if it is announced that he will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced. This could lead to a false assumption being made about whether Mr Hall complied with the rules.

Once this work has been taken up or announced we will publish this letter on the Advisory Committee's website and include the main details, together with the Committee's advice, in both the regularly updated consolidated list on the website and in the next annual report.

Yours sincerely

Catherine Millington
Committee Secretariat