



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

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You asked for the Committee's advice about taking up an appointment with Bridge Farm Group.

The Committee's remit

As you are aware, it is the Committee's role to advise on any conditions that should apply to appointments or employment under the Government's Business Appointments Rules for Former Ministers (the Rules), which apply to former Ministers for two years after they leave office.

The Rules seek to counter suspicion that:

- a) the decisions and statements of a serving Minister might be influenced by the hope or expectation of future employment with a particular firm or organisation; or
- b) an employer could make improper use of official information to which a former Minister has had access; or
- c) there may be cause for concern about the appointment in some other particular respect.

When the Committee considers applications it must have in mind that Government has judged that it is in the public interest that former Ministers with experience in Government should be able to move into business or into other areas of public life, and to be able to start a new career or resume a former one. It is equally important that when a former Minister takes up a particular appointment or employment, there should be no cause for any suspicion of impropriety.

Appointment details

**Adviser to Bridge Farm Group (Bridge Farm)**

Bridge Farm is a horticultural business specialising in culinary herbs, cut flowers and ornamental plants. Bridge Farm includes Bridge Farm Nurseries Limited; Zyon UK Flowers and Plants Limited; Neame Lea Fresh Limited; Neame Lea Nursery Limited; and Neame Lea Marketing Limited.

You stated your role will be paid and part-time; providing advice on meeting regulatory requirements - to advise on obtaining growing licences for certain plants for which Government approval is necessary. Whilst you said the role would likely result in "*minimal*" contact with Government, you would be supporting the owner of Bridge Farm sharing knowledge and providing advice. Further, you said you would not be involved in any contact with departments in which you have served.

You noted in your application that you have previous experience, whilst working for Tesco Plc, of being responsible for regulatory matters

You stated you had no official dealings with Bridge Farm or its competitors; that you are not aware of a relationship between Bridge Farm and HMT.

Tom Scholar, Permanent Secretary at Her Majesty's Treasury (HMT), was contacted about this application. HMT confirmed it has no relationship with Bridge Farm or its subsidiaries; that you did not make decisions which would have affected Bridge Farm; that you had no contact with Bridge Farm whilst you were in office; and that you had no access to any commercially sensitive, or unannounced departmental or policy, information which could offer an unfair advantage. HMT stated it has no concerns about you taking up this appointment.

#### The Committee's consideration

The Committee<sup>1</sup> noted you had no official contact or dealings with Bridge Farm whilst in office. HMT confirmed this, and that it has no relationship with Bridge Farm. As there is no direct link between your time in office and this role, the Committee considered it could not reasonably be perceived you were offered this role as a reward for decisions or actions you took in ministerial office.

HMT confirmed you had no access to any sensitive information that would provide Bridge Farm with an unfair advantage; and the Committee noted it has now been approximately 13 months since you left HMT.

However, the Committee considered there is a potential risk that Bridge Farm could gain an unfair advantage as a result of your contacts across Government/ Whitehall, as you confirmed you may have some "*minimal*" contact with Government in this role. It is relevant that any possible contact will not be with departments in which you have previously served; and that it appears this contact will be regarding regulatory and licencing matters. Therefore, to guard against any risk that Bridge Farm may gain an unfair advantage, the Committee imposed the conditions below to make clear that any use of your contacts to unfairly advantage Bridge Farm, for example in relation to licencing decisions, would be inappropriate.

Taking into account the specific facts in this case, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment be subject to the following conditions:

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<sup>1</sup>This application for advice was considered by Sir Alex Allan; Lord Michael German; Terence Jagger; Dr Susan Liautaud; Richard Thomas and John Wood. Baroness Helen Liddell and I recused ourselves from this application in line with ACOBA's published Code of Practice. Jonathan Baume was unavailable. This letter contains the Committee's advice, arrived at without my input and which I am sending in my capacity as Chair of the Committee.

- that you should not draw on (disclose or use for the benefit of yourself or the organisations to which this advice refers) any privileged information available to you from your time in ministerial office; and
- for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK Government on behalf of Bridge Farm Group or its subsidiaries, nor should you make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure business on behalf of Bridge Farm Group or its subsidiaries.

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.

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.*"

The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to your role in the House of Lords.

I should be grateful if you would inform us as soon as you take up employment with this organisation, or if it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. 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 you had complied with the Rules and the Ministerial Code.

Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

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

The Baroness Browning

The Rt Hon Baroness Neville-Rolfe DBE CMG

