



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Lord Edward Udney-Lister Kt, former Senior Strategic Advisor (Special Adviser) to the Prime Minister between July 2019 - January 2021

1. Lord Udney-Lister 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 with EcoWorld London Development Company Ltd (EcoWorld London) and EcoWorld Management and Advisory Services (UK) Ltd (EcoWorld UK). 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 government. As a Senior Special Adviser to the Prime Minister in No.10, Lord Udney-Lister was responsible for strategy at the highest levels of government. Under the Rules, the Committee's remit is to consider the risks associated with the actions taken and decisions made by Lord Udney-Lister during his time in service, alongside the information and influence he may offer EcoWorld, based on the information provided by him and his former department.

3. The Committee considered whether this appointment was unsuitable given Lord Udney-Lister's former role at No.10, particularly given his seniority and the breadth of the role. However, the Committee must also consider the information provided by the department about his specific dealings with this employer and the sector. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to government associated with this appointment 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 Rules set out that Crown servants must abide by the Committee's advice¹. It is an applicant's personal responsibility to manage the propriety of any

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

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. EcoWorld UK and EcoWorld London are part of the Malaysian based real estate company EcoWorld group. EcoWorld London is partly owned by Wilmot Dixon and is developing new homes across London and the South East. Lord Udny-Lister noted this is monitored and supervised for EcoWorld International, by EcoWorld UK. Lord Udny-Lister seeks to join both UK companies as a Non-Executive Director and to Chair the board of EcoWorld London. The body of this letter will refer to 'EcoWorld'. He described his responsibilities as providing strategic advice, working on land deals, providing governance and liaising with shareholders.

6. The Cabinet Office confirmed that as a result of a potential conflict of interest, Lord Udny-Lister was recused from involvement in detailed advice, discussions and decisions on property and planning policy. This was as a result of Lord Udny-Lister holding an interest in other property/development companies - Stanhope PLC and Delancey Real Estate - whilst in post at No.10. The Cabinet Office told the Committee² these were declared interests and said the conflict was managed by focusing his role on international and overseas policy that was not considered to conflict; and he recused himself from relevant policy. The Cabinet Office also wanted to make it clear to the Committee that decision making on planning and land in London is the responsibility of the Greater London Authority and planning casework for Ministers is a quasi-judicial responsibility which falls to the Ministry of Housing, Communities & Local Government (MHCLG).

7. Further, the Cabinet Office confirmed that whilst there was an ongoing personal relationship with Jamie Ritblat of Delancey, it had no record of government meetings with Jamie Ritblat. The Committee also noted Lord Udny-Lister did not meet with EcoWorld whilst he was at No.10; and that he seeks to resume his previously held role as Chair and member of the Board at the company.

8. Lord Udny-Lister was one of the most Senior Special Advisers to the Prime Minister in No.10. The Committee noted he will have significant knowledge of privileged material from his time in office, particularly in relation to its position on the UK's exit from the EU - the major focus for No.10 before he left post. The application made to the Committee suggests there is no direct overlap with his role at No.10 and his returning to this role for a real estate company. However, whilst he may have been recused from decisions and his role focussed on international issues, the Committee considered there is a reasonable perception of risk associated with the seniority and broad scope of his role and access to information. Even if he was recused from all planning /property matters, his access to information would have been relevant across various sectors - as Cabinet Office noted. In this regard, there is a risk his access to information while in Government could offer an unfair advantage to any organisation.

² This application for advice was considered by Jonathan Baume; Sarah de Gay; Isabel Doverly; Dr Susan Liataud; Richard Thomas; Mike Weir; Lord Larry Whitty. The Rt Hon Lord Pickles and Andrew Cumpsty were recused from this application in line with ACOBA's published Code of Practice.

9. The Committee noted there are several mitigating factors which reduce the scope of the risk his access to information will offer EcoWorld any significant unfair advantage:

- He is prevented from using sensitive information by a number of formal restraints, as well as the Government's Rules - including the Official Secrets Act (which protect certain categories of information), and by his duty of confidentiality owed to the Crown. As a former Special Adviser, he is also required to confirm in writing to his department that he recognises that he continues to be bound by these provisions of the criminal law.
- He was recused from advice, discussions and decisions on property and planning policy.
- Planning/land specific policy development is devolved to the Greater London Authority/ the Mayor of London.
- The Cabinet Office has no concerns about his access to information, subject to imposing conditions which prevent his use of privileged information and which prevent him from lobbying the Government on behalf of EcoWorld.

10. Whilst he is continuing previously held roles, he held a senior, high profile role in No.10. The Committee's view is that whilst there are mitigating factors, there remains a risk Lord Udny-Lister may have privileged insight and influence that could be seen as offering an unfair advantage. The Committee also took into account that Lord Udny-Lister continued to have access to government in some capacity for two months after leaving office, when he held the role as a Special Envoy to the Gulf. However, the Committee noted there is no significant conflict with short term duties in this role and his resuming this role on the board at EcoWorld.

The Committee's advice

11. The Committee considered there are risks associated with his ongoing interests in property and planning whilst he was in a privileged position as a senior adviser to the Prime Minister. However, the Cabinet Office has confirmed these conflicts were managed in post. Therefore, the Committee agrees with the Cabinet Office there is no evidence he took action or made decisions in office in expectation of resuming this role.

12. Lord Udny-Lister has made it clear he does not intend to lobby the government in this role. However, the Committee wishes to make it explicit that it would be inappropriate for him to use contacts gained in office (directly or indirectly) to the advantage of EcoWorld London - and that he must not engage with the UK government³ or its arms length bodies on behalf of EcoWorld. This helps to mitigate the risk he may be seen to offer EcoWorld any unfair access to government in relation to planning or other matters. The Committee also advises that Lord Udny-

³ For the avoidance of doubt the Committee wished to make it clear that Special Advisers are part of government

Lister must not be involved in any work EcoWorld may seek to take up with the government, whether commercial bids for work, or for funding.

13. The Committee also considered it was necessary for there to be a gap between Lord Udny-Lister's access to influence and information and his re-joining EcoWorld London - to manage the real and perceived risks associated with this move. The Committee recognised the opportunity for him to offer an unfair advantage is limited as he will be prevented from drawing on such information; as a former Special Adviser, he is subject to an ongoing duty of confidentiality; and he is prevented from lobbying the government on EcoWorld's behalf. In reaching its decision on the appropriate gap, it had in mind the expected minimum waiting period for the most senior officials in departments of three months (under the Government's Business Appointment Rules); and the specific risks associated with the overlap in his interests whilst he was in office.

14. Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee's advice to the Permanent Secretary is that this appointment with **EcoWorld** be subject to the following conditions:

- a waiting period of six months from his last day in Crown service;
- he should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service. In the context of this general provision, the Committee considers he should specifically avoid giving EcoWorld London Development Company Ltd and EcoWorld Management and Advisory Services (UK) Ltd, or its parent company, subsidiaries, partners or clients, privileged insight based on information from his time in Crown service into Brexit related issues, insofar as it as it pertains to UK's negotiating strategy post its departure from the EU;
- for two years from his last day in Crown service, he should not become personally involved in lobbying the UK Government on behalf of EcoWorld London Development Company Ltd and EcoWorld Management and Advisory Services (UK) Ltd (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the Government and/or Crown service to influence policy, pursue or resolve a dispute, secure business/funding or otherwise unfairly advantage EcoWorld London Development Company Ltd and EcoWorld Management and Advisory Services (UK) Ltd (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service should not undertake any work with EcoWorld London Development Company Ltd and EcoWorld Management and Advisory Services (UK) Ltd (including parent companies, subsidiaries, partners and clients) that involves providing advice 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 and its arms length bodies.

14. The Committee also notes that in addition to the conditions imposed on this appointment, there are separate rules in place with regard to his role in the House of Lords.
15. 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.
16. 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.
17. As with all Special Advisers, the Committee makes this recommendation on the understanding that, if he has not already done so, Lord Udny-Lister must confirm in writing to his department that he recognises that he continues to be bound by the provisions of the criminal law (including the Official Secrets Act) which protect certain categories of information, and by his duty of confidentiality owed to the Crown.
18. Lord Udny-Lister must inform us as soon as he takes up employment with this organisation, 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. Please also inform us if 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.
19. Once the appointment(s) has been publicly announced or taken up, we will publish this letter on the Committee's website.

Cat Marshall
Committee Secretariat

Annex - Material information

The role

1. Eco World International Berhad (EcoWorld International) / EcoWorld Management and Advisory Services (UK) Ltd (EcoWorld UK) / Ecoworld London Development Company Ltd (EcoWorld London). It's website states EcoWorld International is a Malaysian real estate company - listed on the main Market of Bursa Malaysia Securities Berhad. It's core business involves property development outside Malaysia, in the UK and Australia. It currently has '*18 ongoing and upcoming projects in the United Kingdom (UK) and Australia with gross development value of GBP4.8 billion and AUD16 million respectively*'. Lord Udny-Lister sought advice on joining EcoWorld London, which is part of this wider group and is partly owned by The Willmott Dixon Group. EcoWorld London aims to deliver over 10,000 new homes across London and the South East of the United Kingdom, across 12 sites - with an estimated gross development value of over £2.6 billion. Lord Udny-Lister also added that as a Malaysian company in the UK, EcoWorld London's work is mainly in Greater London. Lord Udny-Lister said EcoWorld London is monitored and supervised for EcoWorld International, by EcoWorld UK. Lord Udny-Lister seeks to join both UK companies as a Non-Executive Director and to Chair the board of EcoWorld London.
2. As a member of the Board of EcoWorld UK and Chair and member of the Board at EcoWorld London, Lord Udny-Lister stated his role will be to '*provide strategic advice, work on land deals, provide governance and liaise with shareholders*'. Lord Udny-Lister wishes to return to these roles, as he previously held the same role between 2016 and 2019 (prior to joining No10 in July 2019' and whilst he was Chair of Homes England⁴, the government's housing accelerator).
3. Lord Udny-Lister confirmed he did not meet with EcoWorld during his time at No.10. He said he had no involvement in policy decisions or development relevant to the company, noting the responsibility for relevant policy falls to the Ministry of Housing, Communities and Local Government (MHCLG).

Views from the department

4. The Cabinet Office confirmed the information provided by Lord Udny-Lister. It further informed the Committee that Lord Udny-Lister's role was limited due to potential conflicts with the property/planning sector in post. It confirmed that whilst in office EL continued to hold several roles/interests which were declared to government:
 - He was a Non Executive Director role at Stanhope PLC.
 - He was a Member of the Advisory Board at Delancey Real Estate.
 - He held paid role as Company Director of Edward Lister Consultants Ltd this company remained active to receive payments from other

⁴ The Cabinet Office confirmed that this was declared to the relevant department at the time, and published, in line with the Code of Conduct for Board Members of Public Bodies.

work, but EL did not seek or undertake any new work for this company in the period in question.

- He held shareholdings in Stanhope PLC.
5. It said his hours as a Special Adviser were reduced to reflect these additional roles and his remit focused on international and overseas policy as were not considered to be a conflict with the outside roles he held. In relation to how conflicts of interest were managed whilst he was at No.10 it added that he recused himself from involvement in detailed advice and discussions on property and planning policy.
 6. The Cabinet Office was asked about the media coverage of meetings between Lord Udny-Lister and Jamie Ritblat (CEO Delancey) in June 2020. The Cabinet Office said it understood these were personal conversations - not government meetings.
 7. The Cabinet Office recognised that given the seniority of Lord Udny-Lister's official role, he would have seen a wide range of information whilst in post. However, it considered there were major mitigating factors, including the devolution of relevant policy to the Mayor of London and that he is returning to a role previously held.
 8. In addition the Cabinet Office confirmed that he held a role as Special envoy to the Gulf after leaving office for two months. It said the purpose was to provide advice to the Prime Minister about ambitions for the UK's relations with the Gulf. The terms of reference included: (albeit in reality the role was only undertaken for a small number of months and focussed on Sherpa-ing the India visit):
 - Engaging in direct diplomacy with Gulf partners, driving forward priority issues, as a representative of the Prime Minister.
 - Advocating for and identifying major UK prosperity opportunities in support of the PM's prosperity and levelling up agenda.
 - Acting - alongside the NSA and deputies as required - as Sherpa for major PM engagements in the region or with leaders such as inward visits by Heads of State.
 - Lobbying in support of the work of other Special Envoys and the delivery of foreign policy priorities, such as on girls education or humanitarian assistance.
 - Leading on additional priority issues outside of the Gulf (special projects) as directed by the Prime Minister.
 - Geographically the role focused on the Gulf (KSA, UAE, Qatar, Bahrain, Oman & Kuwait). However it included acting as Sherpa for the PM's India visit.
 9. The Cabinet Office summarised:
 - Lord Udny-Lister had no involvement in decision making or planning on land matters in London.
 - It noted the Government has devolved planning / spatial matters to the

Greater London Authority.

- Decisions by the (labour) Mayor are entirely separate and therefore he, nor others in No.10 would have had access to the Mayor's plans, including in relation to regeneration and land use policy.
- MHCLG is responsible for 'quasi-judicial planning appeals', which is therefore outside of No.10's remit.
- With regard to wider economic matters that may be of relevance (e.g economic recovery plans in light of Covid-19 and the UK's exit from the EU), the Cabinet Office noted he had not been involved in budget work, and given the most recent budget, information has been made public domain since he left office.
- It saw no conflicts arising from his role as Special Envoy to the Gulf and this role.

10. The Cabinet Office recommended that the role be subject to conditions which prevent him from drawing on privileged information and lobbying the Government to mitigate the remaining risks.

Annex - register of interests

HOMES ENGLAND

BOARD MEMBERS' REGISTER OF INTERESTS

Name of Member

Edward Lister

Directorships of Companies

i.e. both public and private

Chairman: Ecoworld London Development Ltd
Non Exec Director: Ecoworld Management UK Ltd
Director: Edward Lister Consultants Ltd
Non Exec Director: Stanhope PLC
Non Exec Director: Erbil Holdings Ltd

Employment, remunerated profession or consultancy

Advisor: Dream Ltd

Other Public Appointments

i.e. to other Non-Departmental Bodies, Health Trusts etc

Non Executive Director Foreign and Commonwealth Office
Advisor Capital Investment, Department of International Trade
Covent Garden Market Authority

Offices in voluntary, non profit making bodies etc

i.e. housing associations, charitable and professional bodies

Director Localis Ltd
Chairman: Advanced Industrialised Methods for the Construction of Homes (AIMCH)

Shareholding

i.e. names of companies or other bodies in which the member to his or her knowledge has either himself or herself or with or on behalf of his or her spouse and infant children, a beneficial interest in shareholdings of nominal value greater than one-hundredth of the issued shared capital

Edward Lister Consultants Ltd

Others

i.e. any other direct or indirect financial and non financial interests, including those of close family members or people living in the same household

Signed



Date...03/04/2019.....