



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: The Rt Hon Jake Berry MP, former Minister Without Portfolio. Paid appointment with Palatine Power Ltd

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 an appointment you want to take up with Palatine Power Ltd.
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 Palatine Power 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 of the risks presented

5. The Committee¹ noted there is no specific overlap with your time in office and you made no decisions directly affecting the company. Therefore, the Committee considered the risk that you could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

¹ This application for advice was considered by Jonathan Baume; Isabel Doverty; Sarah de Gay ; The Rt Hon Lord Pickles; Mike Weir; Richard Thomas and Lord Larry Whitty. Andrew Cumpsty was unavailable.

6. As a former minister, there are inherent risks associated with your access to privileged information and contacts. However, the Cabinet Office confirmed it did not have any concerns regarding your access to information. The Committee also noted the two years that have passed since you were in government before rejoining in September 2022 for a limited period of 7 weeks. As such, it considered the risks associated with your access to information to be limited. While the Committee noted the risks associated with your potential influence as a former minister, this is limited given the nature of the business and that you are prevented from lobbying government.

The Committee's advice

7. The Committee did not consider this appointment raises any particular proprietary concerns under the Government's Business Appointment Rules. The standard conditions below will sufficiently mitigate the risks in this case. These seek to prevent you from drawing on your privileged information, contacts and influence gained in ministerial office, to the unfair advantage of Palatine Power Ltd.
8. Taking these factors into account, in accordance with the government's Business Appointment Rules, the Committee's advice is this appointment with **Palatine Power Ltd** be subject to the following conditions:
 - 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 or its arms' length bodies on behalf of the Palatine Power 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 to influence policy, secure business/funding or otherwise unfairly advantage Ford Bridge Farm Limited (including parent companies, subsidiaries, partners and clients); and
 - for two years from your last day in ministerial office you should not undertake any work with Palatine Power 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 or its arms' length bodies.
9. The advice and the conditions under the government's Business Appointment Rules relate to your 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/House of Lords Commissioners for Standards. It is an individual's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

10. 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.
11. 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."
12. You must inform us as soon as you take up employment with this organisation. Similarly you must 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.
13. 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 in the annual report.

The Rt Hon Lord Eric Pickles

Annex - Material information

The role

1. You said Palatine Power Ltd is a company that buys and develops power generating assets to attach to long term power agreements providing power to large organisations. You described the nature of the business as investment in green energy. 50% of Palatine Power Limited share is owned by Ford Bridge Farm Limited - of which you retained a 50% shareholding in the Ford Bridge Farm Limited and this is the vehicle by which the funds from your farm and other commercial activities were managed.
2. You wish to sit on the board of Palatine Power Limited.
3. You said there is no contact with government in this role.

Dealings in office

4. You confirmed you made no decisions regarding Palatine Power Ltd or their competitors whilst in post.

Department Assessment

5. Cabinet Office confirmed the details you provided and confirmed it has no concerns regarding this application.