

From the Chair



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

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

August 2024

BUSINESS APPOINTMENT APPLICATION: Lee Rowley, former Minister of State (Minister for Housing) at the Department for Levelling Up, Housing & Communities. Paid appointment with Recotech 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 taking up an appointment with Recotech Ltd (Recotech) as a Project Manager.
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 a former minister may offer Recotech. 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. There is no direct overlap with your time as a minister and Recotech's proposed work. It is a new company in the development stages, meaning you have no dealings with it in office, nor did you make any decisions specific to the company

or the sector it operates in. Therefore, the Committee¹ considered the risk that this appointment could reasonably be perceived as a reward for decisions made or actions taken in office, is low.

6. As a former minister, there are inherent risks associated with your access to privileged information, contacts, and influence within government. In particular, you worked on matters that are indirectly relevant to the agrotech sector - in seeking to solve the issues that can prevent house building, as a result of contaminated land. The risks here are significantly limited as this policy is not directly related to the company's work and your proposed role; and your proposed role is an internal project management role. The Committee also noted the focus on project management relates to your career prior to entering politics and becoming a minister.

The Committee's advice

7. The Committee did not consider this appointment raises any particular propriety concerns under the government's Rules, subject to the conditions below. The conditions appropriately manage the risks, seeking to prevent you from making use of privileged information, contacts and influence gained from your time in ministerial office to the unfair advantage of Recotech.
8. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Recotech 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 government or its arm's length bodies on behalf of Recotech Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Recotech Ltd (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office you should not undertake any work with Recotech Ltd (including parent companies, subsidiaries, partners

¹ This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir.

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 arm's length bodies; and

- 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 in other governments and organisations for the purpose of securing business for Recotech Ltd.
9. 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 from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests.² It is an applicant'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.*" This Rule is separate and not a replacement for the Rules in the House.
 12. You must inform us as soon as you take up this role, or if it is announced that you will do so. You must 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.
 13. 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.

²All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

The Rt Hon Lord Eric Pickles

Annex - Material Information

The role

1. You said that Recotech Ltd is a 'Newco' (a new business not yet registered) research and development company that has completed 'proof of principle' work on two silica-based fertiliser/soil improvers. It plans to commence optimisation trials prior to establishing a pilot scale commercial plant. (Recotech Ltd is currently listed as a dormant company on Companies House).
2. You seek to take up a role in a paid, part-time capacity as a Project Manager. You noted Recotech's primary objective is to find agricultural solutions which improve crop yield and reduce the long-term need for agricultural fertiliser. As part of this, you will be responsible for the following:
 - a. Optimise blending – treating and modifying Poultry Litter, Digestate, Dairy Slurry, Pig Slurry. Working with Livelab a small UK based laboratory which provides analysis of soil and grain etc.
 - b. Optimise coating method using Alginate, Shellac, Chitosan to produce a free-flowing, crush resistant sphere suitable for sub-surface soil application. Working with Prof Paul Bingham, Sheffield Hallam, University.
 - c. Liaising with key players in the agriculture sector and broader community in the Wye Valley to identify collaborators in establishing a pilot plant.
 - d. Co-ordinating the pilot plant design and construction team.
 - e. Liaising with key actors in the poultry and dairy sector supply chain to form a commercial support group.

You will have no contact with government in your role as a project manager.

Dealings in office

3. You advised the Committee that you had no official dealings with Recotech whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company. However, you wanted to alert the Committee to some of the policy work you have done that is tangentially relevant:
 - a. As the Minister for Industry, which you left in 2022, you worked on government's response to the spike in carbon dioxide prices which impacted fertiliser production in the UK. You said this has no relevance to the project management activities he would be undertaking for Recotech.
 - b. More recently at the Ministry of Housing, Communities and Local Government (MHCLG - formerly the Department for Levelling up, Housing and Communities whilst you were a minister) you were involved

in seeking a resolution for the 'nutrient neutrality' issue, which was holding up house building in England. You said this is not relevant to work on Recotech and provided the following context:

'The United Kingdom has long sought to minimise environmental pollution and damage. This has included the development of a detailed framework of legislative and regulatory interventions which has sought both to minimise further issues and to mitigate those already created. One of those issues is pollution within rivers and watercourses caused from a variety of current and historical sources (sewage outflows, runoff from roads, historic mine workings, agricultural fertiliser run off and the like).'

'My focus was on seeking legislative, regulatory and financial solutions to allow housebuilding to recommence. This included chairing a taskforce, with DEFRA, to discuss the issue and to push DEFRA to find solutions (which they did, in Q1 2024, through their designation programmes).'

You also wrote to local authorities in December 2023 to clarify *'...the government's approach on nutrient neutrality and to award capital funding for local authorities to find solutions (often the purchase of land to take it out of use and 'offset' the impact of nutrients). This was followed in February by an announcement that a scheme to offer a further round of funding to local authorities would be opened for applications. None of this ministerial work or focus was on individual solutions (particularly early stage ones).'*

Departmental Assessment

4. MHCLG confirmed the details you provided, including in relation to the policy you were involved with; and that it did not consider this raised any risks in you taking up this work. It recommended the standard conditions.