

*From the Chair*



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

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**BUSINESS APPOINTMENT APPLICATION: Baroness Vere of Norbiton, former Parliamentary Secretary at HM Treasury and prior to that, Parliamentary Under Secretary of State (Minister for Aviation) at the Department for Transport. Paid appointment with European Cargo Limited.**

1. You approached the Advisory Committee on Business Appointments the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as a Non Executive Director (NED) with European Cargo Limited (European Cargo).
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 European Cargo. 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. European Cargo is a British cargo airline. It has a stakeholder relationship with the Department for Transport (DfT). Whilst there is no known overlap with

your time at HM Treasury, as Aviation minister at DfT, you met a range of key stakeholders in the aviation industry alongside officials. You did not meet with European Cargo, nor were you involved in any policy, regulatory or commercial decisions specific to the company. As such, Committee<sup>1</sup> considered that the risk this appointment can be considered a reward for decisions or actions taken in post was low.

6. As Aviation Minister, you would have had access to information that could be perceived to benefit the company, or any others working in the same industry. DfT confirmed that the majority of information of relevance is now in the public domain. Further, it has been 12 months since you left the department, and a change of government - both reducing the currency of any privileged insight into matters you may still possess.
7. As with any former minister, there are risks associated with your contacts and influence within government and the potential for European Cargo to gain unfair access or influence as a result. You confirmed that your role as Non Executive Director excludes any dealings with government, reducing the risk you could be perceived to be lobbying government - which all former ministers are prevented from doing for two years after leaving office.
8. It is also relevant that, as an aviation company, European Cargo is regulated by the Civil Aviation Authority (CAA) which sits at an arm's length from the DfT.

#### The Committee's advice

9. The Committee determined the risks identified can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of privileged information, contacts or influence gained from your time in ministerial service to the unfair advantage of European Cargo.
10. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **European Cargo Limited** 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;

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

- 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 European Cargo Limited (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 European Cargo Limited (including parent companies, subsidiaries, partners and clients);
  - for two years from your last day in ministerial office you should not undertake any work with European Cargo Limited (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 arm's length bodies.
11. The advice and the conditions under the government's Business Appointment Rules relate to your 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.<sup>2</sup> You are reminded that as a Member of the House of Lords you are prevented from any paid lobbying under the House of Lords Code of Conduct. 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.
12. 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.
13. The Business Appointment Rules explain that the restriction on lobbying means that you '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'.

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<sup>2</sup> All 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.

14. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so. 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.
15. 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.

**The Rt Hon Lord Pickles**

## **Annex - Material Information**

### The role

1. European Cargo is a British cargo airline based at Bournemouth Airport in Bournemouth, England, operating a fleet of ex-Virgin Atlantic Airbus A340-600 freighters. It has a second operating base at Cardiff Airport in Rhosaf, South Wales. European Cargo began operations in April 2020 when its parent company, European Aviation Air Charter, responded to an urgent charter request by the UK government for PPE transport from Malaysia. It operates out of Bournemouth and Cardiff only (London Heathrow seasonally). As an airline, it is regulated by the Civil Aviation Authority.
2. In your paid, part-time role as NED, you described your responsibilities as below:
  - Attending and actively participating in Board meetings, providing independent oversight and constructive challenge to the executive directors.
  - Providing strategic advice and guidance on the Company's direction and operations.
  - Assisting in the development and review of strategic plans and initiatives.
  - Monitoring financial performance against targets and advising on significant investments or divestments.
  - Reviewing financial controls and risk management.
  - You confirmed your role will not involve contact with government.

### Dealings in office

3. You advised the Committee that you were not involved in decisions specific to, nor had access to sensitive information to European Cargo as a result of your role as Parliamentary Secretary at HM Treasury. You stated during your time as minister with responsibility for aviation, European Cargo was a stakeholder to DfT. You had decision-making responsibility for some policy elements and regulatory frameworks relating to the aviation sector as a whole, though you were not involved in decisions specific to European Cargo. You added:
  - You had a wide range of interactions with the aviation sector (both individual organisations and trade associations/industry groups), though you did not meet with European Cargo during your time at DfT or HMT.

- Any commercially sensitive information that you might have had access to is unlikely to still be relevant given the passage of time, the information being in the public domain and the fast-moving nature of the sector. Further, given the passage of time, it is unlikely that you would be able to recollect such information.
- You ceased to be Aviation Minister in November 2023 and since then, there has been a change in government, whose priorities will differ and into which you will have had no insight.

#### Departmental assessment

4. HM Treasury confirmed you were not involved in any decisions specific to European Cargo nor did the department have concerns relating to your access to sensitive information of relevance.

5. DfT confirmed:

- you met with competitors of European Cargo - CFL, David Leighton (Aviation Services UK), Jet2, DHL, Swissport, ASC Handling during your time in office. These were stakeholder meetings to discuss handling on preventing summer season disruption and securing long-term resilience. These stakeholder meetings have been recorded on transparency returns and were on particular handling issues;
- you did not meet with, nor were you involved in policy, regulatory or commercial decisions specific to European Cargo;
- European Cargo is a stakeholder of DfT. It noted the nature of its relationship:
  - DfT first had contact with European Cargo in December 2021 when the Air Services team assisted them in understanding traffic rights. Since early 2023, the Air Services team have worked closely with European Cargo after they secured certification through the Civil Aviation Authority. This was mainly to assist the airline with accessing the cargo market in China and a representative from the airline joined the Air Service Agreement talks in Beijing.
  - DfT noted that the Air Services team has visited the company's operation in Bournemouth once and plans to do so again. it did not have concerns regarding your access to sensitive information, with the majority of policy that was under development during your time in office is now either in the public domain or out of date due to the time elapsed since you left office, and the change in government.

6. DfT noted that you had a very good relationship with the aviation industry while in office, but you did not work or meet with one stakeholder significantly more than others. The department stated it has confidence that you did also put all meetings and communications through the proper departmental processes, so no one specific person or group springs to mind as a perception risk.
7. HM Treasury and DfT did not have concerns with the appointment and recommended the standard conditions.