



**RHI Inquiry**  
1st Floor, Waterfront Plaza  
8 Laganbank Road  
BELFAST BT1 3LY  
**T:** 028 9040 8833  
**E:** [general@rhiinquiry.org](mailto:general@rhiinquiry.org)  
**W:** [www.rhiinquiry.org](http://www.rhiinquiry.org)

Brian Thomas Harvey  
Solmatix Ltd  
14 Glenwell Road  
Newtownabbey  
Co. Antrim  
BT36 7RF

By post and email: [brian.harvey@harveygroup.co.uk](mailto:brian.harvey@harveygroup.co.uk)

25<sup>th</sup> May 2017

Dear Sir

**Re: The Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme**  
**Provision of a Section 21 Notice requiring the provision of evidence in the form of a written statement**

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

I enclose a copy of the RHI Inquiry's Terms of Reference for your information.

You will no doubt be aware that the RHI Inquiry is conducting its investigations into the matters set out in its Terms of Reference. The Inquiry is continuing with the process of gathering all of the relevant documentation from relevant departments, organisations and individuals. In addition, the Inquiry has also now begun the process of requiring persons who have been, or who may have been, involved in the range of matters which come within the Inquiry's Terms of Reference to provide written evidence to the Inquiry Panel.

In this context, it would be of assistance to the Inquiry to have a statement from you setting out the involvement of Solmatix Ltd, its servants and agents, ('the Company') with the Non Domestic Renewable Heat Incentive Scheme in Northern Ireland ('the RHI Scheme').

In keeping with the approach we are taking with others, the RHI Inquiry is now issuing to you a Statutory Notice (known as a 'Section 21 Notice') pursuant to its powers to compel the provision of evidence in the form of a written statement in relation to the matters falling within its Terms of Reference.

The Section 21 Notice enclosed with this letter requires you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice. As the text of the Section 21 Notice explains, you are required by law to comply with it.

Please bear in mind that, although the RHI Inquiry now has a good working knowledge of the RHI Scheme, the witness statement required by the enclosed Notice is likely (in common with others) to be published by the RHI Inquiry in due course. It should therefore ideally be written in a way which is as accessible as possible in terms of public understanding.

The aim of the enclosed Notice is to require you to provide all relevant evidence within your knowledge and that of the Company which is pertinent to the Inquiry's Terms of Reference. The Schedule to the enclosed Section 21 Notice provides further detail as to the matters which should be covered in the written evidence which is required from you. In the event that there is a category of information in respect of which you or the Company have no evidence, please state this in your response. Where you or the Company can provide evidence, then the more comprehensive your statement is, the less likely it is that the Inquiry will have to revert to you at a later stage for clarification, although in many cases this is likely to be necessary to some degree.

Receipt of this correspondence and its enclosures places you under a duty of confidentiality to the RHI Inquiry in respect of them. You may share the

correspondence and the enclosed Notice with your legal representative(s), and with relevant employees, servants or agents of the Company but neither you nor they may show, communicate the contents of, or provide this correspondence or the Notice to any other person or organisation without the express permission of the RHI Inquiry. Any breach of this duty of confidentiality is actionable at the suit of the Inquiry Chairman.

You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice. In particular, you are asked to provide your evidence in the form of the template witness statement which is also enclosed with this correspondence.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Finally, I would be grateful if you could acknowledge receipt of this correspondence and the enclosed notice by email to [Patrick.Butler@rhiinquiry.org](mailto:Patrick.Butler@rhiinquiry.org).

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Patrick Butler', written in a cursive style.

**Patrick Butler**

Solicitor to the RHI Inquiry

02890408928

## SCHEDULE

[No 240 of 2017]

1. Summarise the involvement of Solmatix Ltd, its servants and agents ('the Company') in the Renewable Heat Industry in Northern Ireland (such as, for example, involvement in the manufacture or supply of biomass fuel, involvement in the manufacture, supply or maintenance of biomass heating plant, involvement in any relevant representative bodies, etc.), during the period from 2010 onwards.
2. Explain any direct or indirect involvement that the Company had in the Non Domestic Renewable Heat Incentive (RHI) Scheme in Northern Ireland ('the RHI Scheme') or any aspect of it prior to its suspension in February 2016, including, in particular:
  - a. any direct or indirect involvement that the Company had in the process leading to the creation of the RHI Scheme;
  - b. any direct or indirect involvement that the Company had in the 2011 public consultation exercise concerning the proposed Scheme;
  - c. any direct or indirect involvement that the Company had in the 2013 public consultation exercise concerning the RHI Scheme;
  - d. the nature and number (or approximate number) of commercial transactions (if any) engaged in by or on behalf of the Company connected to the RHI Scheme (such as, for example, the supply and installation of biomass heating plant for accreditation under the Scheme) including a breakdown of the number of such transactions engaged in by or on behalf of the Company in each relevant financial year;
  - e. (aside from transactions covered by the preceding sub-paragraph) any involvement of the Company, or persons on its behalf, in providing

services related to the RHI Scheme to third parties such as the provision of advice, information, guidance, or assistance to potential claimants under the RHI Scheme in respect of their applications;

f. whether the Company, either directly or indirectly, ever earned any tariff income from the RHI Scheme and, if it did so, provide details of each sum earned by it as well as details of when, how, and the terms under which it earned same;

g. (if applicable) the Company's experience of the amount of time (in terms of days or weeks) that typically elapsed between:

i. the date of biomass heating plant being ordered and its installation;

ii. the date of biomass heating plant being ordered and its commissioning into service;

iii. the date of biomass heating plant being ordered and its accreditation under the RHI Scheme;

(if, in the Company's experience there was no typical time lapse in this regard, then please provide details of both the minimum and maximum periods experienced by the Company in respect of each of the foregoing sub-paragraphs);

h. any involvement of the Company in representative, trade, or other similar groups along with other persons or bodies with an interest in the Renewable Heat Industry in Northern Ireland and/or the RHI Scheme;

i. any involvement, whether direct or indirect, that the Company had in advertising or promoting the RHI Scheme, and/or providing information, education, assistance, guidance or advice regarding the Scheme (in particular, the financial benefits available under the Scheme), to the Northern Ireland market including details of every step taken in this

regard, the date (or approximate date) when every such step was taken, the persons in respect of whom every such step was taken, and the results of same;

- j. any potential risks, flaws, problems, anomalies, loopholes, or other issues regarding the proposed RHI Scheme, or the RHI Scheme as enacted, which came to the Company's attention, including details of when the Company first became aware of each such issue and the actions (if any) taken by the Company as a result;
- k. any instances of whistle-blowing by or on behalf of, or to, the Company in relation to the RHI Scheme, or any disclosures made by or on behalf of, or to, the Company raising concerns about the RHI Scheme, of which you are aware, including details of when such communications occurred and to whom, and by whom, each such communication was made;
- l. any instances of lobbying or encouragement, by or on behalf of the Company, of Ministers, Special Advisers, Civil Servants, politicians, political parties, their respective servants or agents, or other relevant persons in relation to the terms of the RHI Scheme and/or the introduction, non-introduction, variation or delay of the introduction of cost controls into the Scheme (including, but not limited to, the amendment of tariffs, tiering, degression and Scheme suspension or closure).

3. Without prejudice to the generality of the foregoing:

- a. please provide details of all communications, passing in either direction, between the Company or any person connected to it (on the one side) and Ministers, Special Advisers, Civil Servants, politicians, political parties, or their respective servants or agents (on the other side) in relation to the introduction, non-introduction, variation or delay

of the introduction of cost controls into the RHI Scheme (including, but not limited to, the amendment of tariffs, tiering, degression and Scheme suspension or closure), in particular during 2015 (providing the nature, date, and place of each communication as well as details of the persons between whom each such communication occurred);

- b. in particular and, once again, without prejudice to the generality of the foregoing, please provide details of each and every communication between the Company or any person connected to it (including, in particular, Frank McCullagh) and officials in the Department for Enterprise, Trade, and Investment ('DETI'), DETI Energy Division, and/or DETI Renewable Heat Branch (including, in particular, Stuart Wightman, Seamus Hughes, Dan Sinton, John Mills, or Chris Stewart) in relation to the introduction, non-introduction, variation or delay of the introduction of cost controls into the RHI Scheme (including, but not limited to, the amendment of tariffs, tiering, degression and Scheme suspension or closure), in particular during 2015 (providing the nature, date, and place of each communication as well as details of the persons between whom each such communication occurred);
- c. identify each and every document containing, recording, or relating to the communications to which reference is made in sub-paragraphs a. and b.;
- d. please provide details of all communications, passing in either direction, between the Company or any person connected to it (on the one side) and any persons other than Ministers, Special Advisers, Civil Servants, politicians, political parties, or their respective servants or agents (on the other side) in relation to the introduction, non-introduction, variation or delay of the introduction of cost controls into the RHI Scheme (including, but not limited to, the amendment of tariffs, tiering, degression and Scheme suspension or closure), in particular during 2015 (providing the nature, date, and place of each

communication as well as details of the persons between whom each such communication occurred).

4. In respect of the period prior to the suspension of the Scheme in February 2016, and to the extent that it has not already been covered when addressing the issues raised in the preceding paragraphs of this Schedule, please provide details of all dealings that the Company, or other persons connected to it, had with:
  - a. Ministers, Special Advisers, Civil Servants, politicians, political parties, or their respective servants or agents;
  - b. Ofgem, its servants or agents;
  - c. persons *other than* Ofgem, Ministers, Special Advisers, Civil Servants, politicians, political parties, or their respective servants or agents

which are relevant to the matters that the RHI Inquiry is investigating as set out in the Inquiry's Terms of Reference.

5. Identify any instances, of which either you or the Company is aware, where a Minister, Special Adviser, Civil Servant or any other person involved in the RHI Scheme (including, if applicable, yourself):
  - a. breached relevant standards (including, but not limited to, the Nolan Principles, the Ministerial Code of Conduct, the Civil Service Code of Conduct, the Code of Conduct for Special Advisers and/or terms or conditions of employment or service) or acted in a way incompatible with their duties;
  - b. acted in circumstances relating to or touching upon the Scheme in any way where they had a real or perceived conflict of interest;



in respect of any such instances, providing details and specifying the basis for any belief that there has been a breach of a relevant standard or duty or that a conflict of interest arose.

6. Provide any further evidence within your knowledge or belief, or that of the Company, which is relevant to the matters that the RHI Inquiry is investigating as set out in the RHI Inquiry's Terms of Reference.

**NOTE:**

It is important for the efficiency of the RHI Inquiry that the issues identified above are addressed as fully as possible and by reference, where available, to the dates and locations of specific incidents to which reference is made. The statement should be broken down into paragraphs, which should be numbered sequentially from '1' to the end. The use of appropriate section headings or sub-headings is also encouraged. A template witness statement is provided with this Notice for your assistance and should be used as the format for your response.

## INQUIRY INTO THE RENEWABLE HEAT INCENTIVE SCHEME

RHI REF: Notice 240 of 2017

Date: Tuesday 4<sup>th</sup> July 2017

---

Witness statement of: BRIAN THOMAS HARVEY

---

I, Brian Thomas Harvey, will say as follows: -

1. Solmatix Ltd's ('the Company') involvement in the Renewable heat industry in Northern Ireland was as an EPC contractor. The company engineered, procured, supplied, installed and maintains biomass heating systems for forty seven different scenarios each of which offset a pre-existing fossil fuel heat load with that of a renewable source. Forty six of the forty seven installations use wood pellet as the source of fuel and one installation uses wood chip.
2.
  - a) The Company had no involvement in the process leading to the creation of the RHI scheme;
  - b) The Company had no direct or indirect involvement in the 2011 public consultation concerning the proposed scheme;
  - c) The Company is not aware of having had direct or indirect involvement in the 2013 public consultation concerning the RHI scheme;
  - d) I would refer you to the table 2(d) part one and two below. *Transactions* has not been defined in the question posed. I have interpreted *transactions* to mean commercial installations. The table outlines the number and approximate date of the non-domestic RHI related installations, all of which are for the EPC (supply and install) of biomass boilers. The boiler sizes are also noted. There are also approximately two service transactions per boiler per year commencing on the date of the initial transaction.

**STATEMENT OF TRUTH**

I believe the facts stated in this witness statement are true.

Signed: Dated: 

Job No Ops Log	Boiler	Date of Install	Commissioning Date	Commissioned By
C14.08.017	Herz 99kw	21.10.2014	10.12.2014	Action Renewables
C14.09.011	Herz 45kw Herz 60kw Herz 60kw	03.11.2014	13.01.2015	Action Renewables
C14.10.003	4no Herz 99kw	05.11.2014	19.12.2014	Action Renewables
C14.10.004	30kW Extraflame	08.12.2014	12.12.2014	Action Renewables
C14.11.002	Herz 99kw	12.01.2014	27.01.2015	Action Renewables
C14.11.012	Herz 60kw	23.03.2015	04.04.2015	Action Renewables
C14.12.005	2no Herz 99kw	26.08.2015	15.09.2015	Alternative Heat
C14.12.008	Herz 99kw	27.01.2015	23.02.2015	Action Renewables
C15.01.006	Herz 99kw	11.03.2015	11.03.2015	Action Renewables
C15.01.008	Herz 99kw	20.04.2015	11.05.2015	Alternative Heat
A15.01.004	30kW Extraflame	12.05.2015	13.05.2015	Action Renewables
	Woodsman 20kW			
C15.02.001	Herz 99	25.05.2015	18.06.2015	Alternative Heat
C15.02.002	Herz 99	30.04.2015	05.06.2015	Alternative Heat
A15.04.005	2no Herz 99	05.08.2015	03.09.2015	Alternative Heat
C15.04.005	Herz 60	25.09.2015	13.10.2015	Alternative Heat
C15.04.008	Herz 99	15.06.2015	19.08.2015	Alternative Heat
C15.07.001	Herz 99	13.08.2015	19.07.2015	Alternative Heat
C15.07.003	Herz 99kw	13.08.2015	03.09.2015	Alternative Heat
C15.08.002	Herz 99kw	12.10.2015	21.10.2015	Alternative Heat
C15.07.004	2no Herz 99kw	17.08.2015	04.09.2015	Alternative Heat
C15.08.005	Herz 99kw	18.09.2015	05.10.2015	Alternative Heat
C15.08.006	Herz 99kw	18.09.2015	30.09.2015	Alternative Heat

Table 2(d) part 1

**STATEMENT OF TRUTH**

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Job No Ops Log	Boiler	Date of Install	Commissioning Date	Commissioned By
C15.08.007	Herz 99kw	31.08.2015	18.09.2015	Alternative Heat
C15.08.003	Herz 60kw	22.10.2015	29.10.2015	Alternative Heat
C15.08.004	Herz 99kw	15.09.2015	06.10.2015	Alternative Heat
A15.08.014	Herz 45kw	26.10.2015	22.10.2015	Alternative Heat
C15.08.014	Herz 60kw	05.10.2015	19.10.2015	Alternative Heat
A15.09.001	Herz 60kw	01.10.2015	16.10.2015	Alternative Heat
C15.09.011	Herz 60kW	19.10.2015	26.10.2015	Alternative Heat
C15.09.009	Herz 99kW	28.09.2015	14.10.2015	Alternative Heat
C15.09.012	Herz 60kw	07.10.2015	15.10.2015	Alternative Heat
C15.09.015	Herz 60kW	06.10.2015	20.10.2015	Alternative Heat
C15.09.016	Extraflame 30kW	12.10.2015	15.10.2015	
C15.10.001	Herz 99kW	16.10.2015	23.10.2015	Alternative Heat
C15.09.021	Distribution System	01.10.2015	21.10.2015	
C15.10.002	Herz 99kW		05.11.2015	Alternative Heat
C15.12.001	Herz 99kW	04.01.2016	13.01.2016	Alternative Heat
C15.12.004	Herz 99kW	29.01.2016	19.02.2016	Alternative Heat
C16.01.003	Herz 149kW	18.02.2016	25.02.2016	Alternative Heat
C16.01.005	Herz 199kW	22.02.2016	25.02.2016	Alternative Heat
C16.02.002	Herz 60kW	16.02.2016	22.02.2016	Alternative Heat
C16.02.003	Herz 199kW	17.02.2016	24.02.2016	Alternative Heat
C16.02.004	Herz 60kW	15.02.2016	23.02.2016	Alternative Heat
A16.02.003	Herz 199kW	24.02.2016	26.02.2016	Action Renewables
C16.02.014	Herz 199kW	22.02.2016	26.02.2016	Action Renewables
	Woodsman 28kW			Solmatrix

Table 2(d) part 2

As can be seen from the tables, the majority of the installations were commissioned by either Action Renewables or Alternative Heat. These companies also acted as an agent for customers and organised the submission of the final application to OFGEM for accreditation. I am advised that the fees charged by these commissioning companies was approximately £400-£750 per boiler for accreditation and approximately £330-£350 per boiler commissioning.

If a customer contacted the Company and advised that they were making alterations to the initially installed system the Company would have employed a third party accreditation agent,

#### STATEMENT OF TRUTH

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

normally either Action Renewables or Alternative Heat to resubmit the amendment to OFGEM. I am advised that the cost for this was in the region of £650 per amendment.

There are a large number of procurement transactions ie: each installation was different and bespoke solutions were required which meant buying equipment specific to that job, for each individual customer listed in the tables above, however this information has not been included within this written statement as it is not considered relevant to the Inquiry Terms of Reference. If required these can be provided.

- e) The Company did not complete applications on a customer's behalf to the RHI scheme. The Company produced a quotation for each customer which analysed the cost and financial payback of their installation based upon the customers current heat load and the benefit of changing their heating source from a fossil fuel to a renewable technology.
- f) The Company has a biomass boiler installation at 10 Tully Road, Crumlin and it receives tariff income from the RHI scheme. Table 2(f) part one and two below outlines the payments received to date:

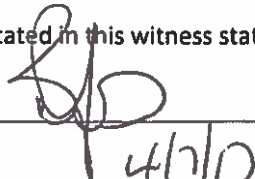
<b>SOLMATIX BIOMASS BOILER 1</b>								
<b>Year</b>	<b>Month</b>	<b>Reading</b>	<b>Payment</b>		<b>Year</b>	<b>Month</b>	<b>Reading</b>	<b>Payment</b>
2015	January				2016	January	80,859	£1,292.86
	February			February		89,554		
	March			March		96,501		
	April			April		103,054	£1,424.38	
	May			May		106,527		
	June			June		107,033		
	July	55,603	£435.90	July		108,243	£337.29	
	August	56,541		August		108,581		
	September	57,549		September		109,358		
	October	60,658	£323.52	October		112,076	£249.15	
	November	65,952		November		116,901		
	December	72,753		December		124,546		

Table 2(f) part 1

**STATEMENT OF TRUTH**

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_



Dated: \_\_\_\_\_

Year	Month	Reading	Payment	Year	Month	Reading	Payment
2017	January	129,989	£1,164.35	2018	January		
	February	138,002			February		
	March	143,890			March		
	April	148,550	£1,213.06		April		
	May				May		
	June				June		
	July				July		
	August				August		
	September				September		
	October				October		
	November				November		
	December				December		

**SOLMATIX BIOMASS BOILER 2**

Year	Month	Reading	Payment	Year	Month	Reading	Payment
2016	January			2017	January	12,757	
	February				February	13,686	£175.89
	March				March	13,885	
	April				April	13,885	
	May	5,676	£366.92		May	13,885	£13.19
	June	6,028			June		
	July	7,314			July		
	August	7,586	£124.15		August		
	September	7,703			September		
	October	9,242			October		
	November	10,980	£220.61		November		
	December	12,161			December		

Table 2(f) part 2

- g) The Company's experience with regards to the amount of time that typically elapsed in the proposed questions is as follows;
- i) Four to six weeks between biomass heating plant being ordered and its installation commencing unless the product was held in stock at the Company's warehouse in which case the time frame could change to two to three weeks;
  - ii) Five to twenty weeks between biomass heating plant being ordered and its commissioning into service. The installations undertaken by the Company typically involved the upgrading of the overall heating system to allow for the most efficient and practical heat for the space and therefore the installation time can vary dramatically. The timeframe was dependant on the scale and complexity of the installation.

**STATEMENT OF TRUTH**

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

- iii) Thirty to fifty two weeks is the Company experience of the length of time between a biomass heating plant being ordered and the OFGEM accreditation of the plant. The Company has noticed that there were longer delays in later installations receiving accreditation.
- h) The Company is a member of the Micro Generation Scheme ('MCS') and is accredited under MCS for the installation of Biomass boilers. The Company is also a member of the Action Renewables Energy Association. The Company has had no involvement in a trade body or similar group with relation to the RHI scheme in Northern Ireland.
- i) The Company promoted the RHI scheme predominantly through the use of customer case studies. The case studies were used both in digital form ie: on social media and the Company website and hard copies were given to prospective customers.

The Company provided the customer with site specific quotations which outlined both the project cost and potential financial returns based on the information provided to us by the customer.

Although it is difficult to be exact, it is estimated that the Company surveyed and quoted approximately ten sites for each individual sale. The Company estimates that approximately four hundred and seventy quotations were provided for forty seven customers. There were marked increases in demand driven by the tariff change announcements but nothing greater than the Company had seen with regards to any other subsidy change within the renewables sector e.g.: Northern Ireland Renewable Obligations Certificates.

- j) I am advised that the Company heard rumours of exploitation of the scheme but did not have any evidence to back up these rumours. These rumours predominantly revolved around the uptake and usage of the scheme by the poultry industry. The Company did highlight the unsubstantiated rumours to DETI in a letter dated 10<sup>th</sup> July 2015.

The Company also felt that DETI should have been negotiating with the UK government for a greater proportion of budget than that under the Barnett formula as Northern Ireland has a greater dependence on fossil fuels and has limited access to a cost effective mains gas network. This was highlighted in a letter to the ETI committee on 8<sup>th</sup> February 2016.

- k) This has been dealt with above.
- l) I am advised that the Company did lobby both at the time of digression and the time of closure of the RHI scheme and that they also used an external company called Stratagem to aid its lobbying. On 18 December 2016, I sent an e-mail to Steven Agnew regarding the scheme, a copy of which will be provided with this statement.

## STATEMENT OF TRUTH

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_

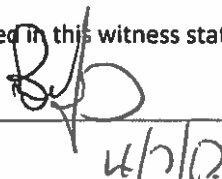
Dated: \_\_\_\_\_

3.
  - a) Documentation relating to this question has already been disclosed by the Company to the Inquiry. Additional e-mails now disclosed are referred to at paragraphs 2(l) and 4(a) of this statement.
  - b) All details of communications between the Company, including Frank McCullagh and DETI officials as outlined has already been provided to the Inquiry. The nature of this communication is outlined in the emails. It resulted in a meeting with DETI officials on Wednesday 22<sup>nd</sup> July 2015 at DETI headquarters.
  - c) As outlined above each and every document relating to the communications has already been provided, subject to the two e-mails being disclosed along with this statement.
  - d) The Company had corresponded with Alternative Heat. I understand that those communications were with Fergal Hegarty and were in relation to the meeting between Seamus Hughes, Stuart Wightman, Frank McCullagh and Fergal Hegarty. Any documentation relevant to this matter has already been provided to the Inquiry.
  
4.
  - a) On 8 February 2016, I sent an e-mail to Patsy McGlone regarding the scheme, a copy of which will be provided with this statement. The Company had no other dealings with Ministers, Special advisors, Civil servants, politicians, political parties, or their respective servants or agents.
  - b) The Company had no dealings with OFGEM or its servants or agents with relevance to the enquiry terms of reference
  - c) The Company are not aware of any instance relating to this question that has any relevance to the terms of reference outlined in both notices.
  
5.
  - a) The Company does not have extensive knowledge of the relevant codes of conduct outlined however the Company does not believe that acts that were taken were incompatible with their duties.
  - b) The Company does not believe that anyone acted in circumstances relating to or touching upon the scheme in any way that had a perceived conflict of interest.
  
6. The Company has nothing further to add.

**STATEMENT OF TRUTH**

I believe the facts stated in this witness statement are true.

Signed: \_\_\_\_\_

Handwritten signature and date. The signature is written in black ink and appears to be 'B. J. O.'. Below the signature, the date '4/7/12' is written in black ink.

Dated: \_\_\_\_\_



James Ead

---

**From:** Brian Harvey <brian.harvey@harveygroup.co.uk>  
**Sent:** 04 July 2017 12:49  
**To:** James Ead; Adam Kirkpatrick  
**Subject:** Fwd: Renewable Heat Incentive

**CaseCode:** HAR0850008  
**DocId:** b6dbe813-5df5-41cd-876c-095e64bda61e

Sent from my iPhone

Begin forwarded message:

**From:** Neville Bell <neville.bell@solmatix.com>  
**Date:** 4 July 2017 at 12:45:00 BST  
**To:** "Brian Harvey (brian.harvey@harveygroup.co.uk)" <brian.harvey@harveygroup.co.uk>  
**Subject:** FW: Renewable Heat Incentive

Brian,

Please see below.

Thanks

Kind Regards,  
Neville Bell

Managing Director

Mobile

Personal information  
redacted by the RHI  
Inquiry

-----Original Message-----

**From:** Brian Harvey [mailto:brian.harvey@harveygroup.co.uk]  
**Sent:** 08 February 2016 23:12  
**To:** patsy.mcglone@sdlp.ie  
**Cc:** Neville Bell <neville.bell@solmatix.com>  
**Subject:** Renewable Heat Incentive

Patsy

I wonder if we could ask for your help in bringing some sense to the proposed closure of the above scheme .

Our company Solmatix are involved in the delivery of renewables and employ over 30 people from all sections of our community .

The RHI was adjusted in November into a capped sensible scheme that limited payout of incentive to a fair and balanced contribution to encourage uptake in biomass systems .

The uptake for this revised scheme has been modest and was expected to last . We have customers like a registered charities care homes and government properties who have placed firm orders for systems .

The boilers and fuel are sourced locally .

The recent press announcement says the target had been 4% . This seems incredibly low given our dependence upon oil in such a rural community .surely it is our interest in being self sufficient as par as possible as far as energy is concerned .

Proposed changes of feed in tariffs and the abolition of 5% vat rate are all crippling the renewables industry .

Our owners are non partisan/ political and I am contacting you because of your previous interest in the local economy and the development of the rural enterprises .

Our Neville Bell will be at Stormount tomorrow for the hearing . If I can be of assistance please contact me On Personal information redacted by the RHI Inquiry

Many thanks

Brian Harvey C.Eng FCIBSE

Managing Director

Harvey Group & Solmatix

## James Ead

---

**From:** Brian Harvey <brian.harvey@harveygroup.co.uk>  
**Sent:** 04 July 2017 12:19  
**To:** Adam Kirkpatrick; James Ead  
**Subject:** Fwd: Following previous conversation

**CaseCode:** HAR0850008  
**DocId:** dad26e09-67ab-4fe1-aca8-71ffa1063fbf

Sent from my iPhone

Begin forwarded message:

**From:** Brian Harvey <brian.harvey@harveygroup.co.uk>  
**Date:** 18 December 2016 at 15:02:52 GMT  
**To:** "steven.agnew@mla.niassembly.gov.uk" <steven.agnew@mla.niassembly.gov.uk>  
**Subject:** Following previous conversation

Steven

You may not remember me we spoke at the action renewables awards at that time I spoke about the lack of visible / audible Green Party support for the revised rhi scheme. The revised scheme was fair like the gb scheme still operating.

I have a suggestion to deal with the problem of overspending on the first rhi scheme that I would like to share with you in confidence and not for any political parties to try and score points.

I suspect that most applicants for the first scheme are decent people who availed of the only scheme that there was . The would not want to see anyone loosing out at their expense.

If this is correct then a large part would be willing to agree to accept to switch to the capped "second " scheme on a voluntary basis. They are probably not exploiting the first scheme anyway. This must not seem to be an admission to doing anything wrong but a way to help the country and its finances.

Why not ask them? Patsy mc Glone might be the only other person who is pragmatic than I can think of.

Can I leave this with you ?

Feel free to contact me on Personal information  
redacted by the RHI  
Inquiry

Thanks

Brian Harvey

Sent from my iPhone

**James Ead**

---

**From:** Brian Harvey <brian.harvey@harveygroup.co.uk>  
**Sent:** 04 July 2017 12:49  
**To:** James Ead; Adam Kirkpatrick  
**Subject:** Fwd: Renewable Heat Incentive

**CaseCode:** HAR0850008  
**DocId:** b6dbe813-5df5-41cd-876c-095e64bda61e

Sent from my iPhone

Begin forwarded message:

**From:** Neville Bell <[neville.bell@solmatix.com](mailto:neville.bell@solmatix.com)>  
**Date:** 4 July 2017 at 12:45:00 BST  
**To:** "Brian Harvey ([brian.harvey@harveygroup.co.uk](mailto:brian.harvey@harveygroup.co.uk))" <[brian.harvey@harveygroup.co.uk](mailto:brian.harvey@harveygroup.co.uk)>  
**Subject:** FW: Renewable Heat Incentive

Brian,

Please see below.

Thanks

Kind Regards,  
Neville Bell

Managing Director

Mobile

Personal information redacted by  
the RHI Inquiry

-----Original Message-----

**From:** Brian Harvey [<mailto:brian.harvey@harveygroup.co.uk>]  
**Sent:** 08 February 2016 23:12  
**To:** [patsy.mcglone@sdlp.ie](mailto:patsy.mcglone@sdlp.ie)  
**Cc:** Neville Bell <[neville.bell@solmatix.com](mailto:neville.bell@solmatix.com)>  
**Subject:** Renewable Heat Incentive

Patsy

I wonder if we could ask for your help in bringing some sense to the proposed closure of the above scheme .

Our company Solmatix are involved in the delivery of renewables and employ over 30 people from all sections of our community .

The RHI was adjusted in November into a capped sensible scheme that limited payout of incentive to a fair and balanced contribution to encourage uptake in biomass systems .

The uptake for this revised scheme has been modest and was expected to last . We have customers like a registered charities care homes and government properties who have placed firm orders for systems .

The boilers and fuel are sourced locally .

The recent press announcement says the target had been 4% . This seems incredibly low given our dependence upon oil in such a rural community .surely it is our interest in being self sufficient as par as possible as far as energy is concerned .

Proposed changes of feed in tariffs and the abolition of 5% vat rate are all crippling the renewables industry .

Our owners are non partisan/ political and I am contacting you because of your previous interest in the local economy and the development of the rural enterprises .

Our Neville Bell will be at Stormount tomorrow for the hearing . If I can be of assistance please contact me On Personal information redacted by the RHI Inquiry

Many thanks

Brian Harvey C.Eng FCIBSE

Managing Director

Harvey Group & Solmatix

**James Ead**

---

**From:** Brian Harvey <brian.harvey@harveygroup.co.uk>  
**Sent:** 04 July 2017 12:19  
**To:** Adam Kirkpatrick; James Ead  
**Subject:** Fwd: Following previous conversation

**CaseCode:** HAR0850008  
**DocId:** dad26e09-67ab-4fe1-aca8-71ffa1063fbf

Sent from my iPhone

Begin forwarded message:

**From:** Brian Harvey <[brian.harvey@harveygroup.co.uk](mailto:brian.harvey@harveygroup.co.uk)>  
**Date:** 18 December 2016 at 15:02:52 GMT  
**To:** "[steven.agnew@mla.niassembly.gov.uk](mailto:steven.agnew@mla.niassembly.gov.uk)" <[steven.agnew@mla.niassembly.gov.uk](mailto:steven.agnew@mla.niassembly.gov.uk)>  
**Subject:** **Following previous conversation**

Steven

You may not remember me we spoke at the action renewables awards at that time I spoke about the lack of visible / audible Green Party support for the revised rhi scheme. The revised scheme was fair like the gb scheme still operating.

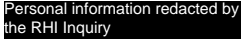
I have a suggestion to deal with the problem of overspending on the first rhi scheme that I would like to share with you in confidence and not for any political parties to try and score points.

I suspect that most applicants for the first scheme are decent people who availed of the only scheme that there was . The would not want to see anyone loosing out at their expense.

If this is correct then a large part would be willing to agree to accept to switch to the capped "second " scheme on a voluntary basis. They are probably not exploiting the first scheme anyway. This must not seem to be an admission to doing anything wrong but a way to help the country and its finances.

Why not ask them? Patsy mc Glone might be the only other person who is pragmatic than I can think of.

Can I leave this with you ?

Feel free to contact me on 

Thanks

Brian Harvey

Sent from my iPhone