

From: [Clydesdale, Alison](#)
To: ["Leeming Rosalind \(DECC\)"; Garner-Patel Amanda \(Legal Services\); Hutchinson, Peter; Greasley Jo \(Office for Renewable Energy Deployment\)](#)
Cc: [Wheeler, Nicola](#); Irrelevant information redacted by the RHI Inquiry [\(DECC LEGAL\)](#); Irrelevant information redacted by the RHI Inquiry [\(Economics\)](#)
Subject: RE: Instructions to Parliamentary Council - Northern Ireland RHI
Date: 23 March 2011 10:59:38

Ros

We were notified of the £25m allocation via an HMT letter from Danny Alexander in relation to the entire NI settlement. We were not asked for an IA, indeed the letter from HMT was our first indication that budget would be available to us.

We will do a full IA to accompany our secondary regulations - for now we have undertaken a very detailed report on the potential for Renewable Heat which we have already sent across to DECC and in addition our Economic appraisal will complete by the end of the month.

Its normal practice here for us to draw very heavily on DECC IA's in any case as we can assume the NI consumer will act in much the same way as the GB customer and doing a separate NI IA very rarely produces any different impacts. We will however seek to incorporate any NI findings from our economic appraisal into the IA going forward that will need to accompany our regulations.

One thing that will influence the impact here will be the availability of funding to us post the £25m - if we only get £25m it will affect the design of the scheme and hence the impact - if DECC/ HMT are able to confirm that we will continue to receive funding post the £25m then the impact will be more long term - this is something we are struggling to address in our economic appraisal - is there anyone in DECC who could advise us further on this.

If you need to send something to your regulation committee - we have a standard RIA template that we can complete for you - it will draw heavily on DECC's previous work and incorporate any NI data we have to date - happy to do that if required.

However I think the best approach is to say that the impact in NI will be similar to that in GB.

Best Regards

Alison

Alison Clydesdale

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Please consider the environment - do you really need to print this e-mail?

From: Leeming Rosalind (DECC) [mailto:Rosalind.Leeming@decc.gsi.gov.uk]
Sent: 22 March 2011 13:36
To: Garner-Patel Amanda (Legal Services); Hutchinson, Peter; Greasley Jo (Office for Renewable Energy Deployment)
Cc: Clydesdale, Alison; Wheeler, Nicola; [redacted] (DECC LEGAL); [redacted] (Economics)
Subject: RE: Instructions to Parliamentary Council - Northern Ireland RHI

Alison, Peter,

Can you also let us know if any Impact Assessment has been done at your end? Being primary legislation obviously the creation of it doesn't have a direct impact, but we will need to state that and any analysis we have on the impact. I assume this must have been done in order to be given the RHI NI budget? There is a time imperative on this as we may need to send this to the regulation committees.

Thanks

Ros

From: Garner-Patel Amanda (Legal Services)
Sent: 22 March 2011 12:48
To: Hutchinson, Peter; Leeming Rosalind (DECC); Greasley Jo (Office for Renewable Energy Deployment)
Cc: Clydesdale, Alison; Wheeler, Nicola; [redacted] (DECC LEGAL)
Subject: RE: Instructions to Parliamentary Council - Northern Ireland RHI

Peter,

Thank you for your e-mail. We have one query regarding the instructions to Parliamentary Counsel. This concerns your final paragraph (3.16).

First, our amendments to section 100 also include the addition of biogas as a source of energy. Do you intend this amendment to apply to NI?

Second, we are unclear as to how you are proposing these amendments would have effect in NI. As currently drafted the regulations amending section 100 (which will be laid in Parliament in May) do not extend to NI as we do not of course have vires to extend their scope beyond GB. We cannot delay the introduction of these regulations until the NI amendment has been made as it would delay the implementation of the principal regulations setting up the RHI in GB. We would therefore be grateful for clarification of your instructions. Are you proposing that Parliamentary Counsel will make these changes? If so, how do you envisage this working given the timing issues (both the regulations and the NI amendment are likely to be in Parliament at the same time).

I look forward to hearing from you.

Amanda

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From: Hutchinson, Peter [mailto:Peter.Hutchinson@detini.gsi.gov.uk]
Sent: 15 March 2011 16:32
To: Leeming Rosalind (DECC); Greasley Jo (Office for Renewable Energy Deployment); Garner-Patel Amanda (Legal Services)
Cc: Clydesdale, Alison; Wheeler, Nicola
Subject: Instructions to Parliamentary Council - Northern Ireland RHI
Importance: High

Ros / Jo / Amanda,

Please see attached final version of the instructions to Parliamentary Council, in respect to the potential amendment to the current Energy Bill to extend powers relating to Renewable Heat to Northern Ireland.

Grateful if you would consider.

Happy to discuss.

Thanks,

Peter

Peter Hutchinson

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