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Frazer, Helen

From: Morelli, Emer
Sent: 15 January 2017 14:04
To: Brennan, Mike; Scott, Michelle
Cc: Sterling, David
Subject: Re: RHI Business case Janaury 2017 queries to DfE mb

Mike

Yes important to note that DfE has proceeded in line with their legal advice to date. As set out in AG advice to DfE the original 2012 Regs and Nov 15 amendment Regs also proceeded without Exec approval. DoF does not have further detail on this.

Key legal view from DoF perspective is the robustness of overarching legal strategy adopted by DfE in terms of delivering budgetary and regularity VFM outcomes.

Many thanks

Emer

Sent from my BlackBerry 10 smartphone.

From: Brennan, Mike
Sent: Sunday, 15 January 2017 13:43
To: Morelli, Emer; Scott, Michelle
Cc: Sterling, David
Subject: RE: RHI Business case Janaury 2017 queries to DfE mb

Michelle / Emer – other than removing the DN in para 5 and inserting the DoF legal view reference I think we are there.

The key concern remaining that the Minister needs to take a view on is Emer's concern about introducing to Assembly in the absence of Executive endorsement.

Hopefully we will get SCC input (or at least Hugh might have some initial feedback) before 3.00 call. I wonder if we should let Minister see this draft before then as it might give him some comfort on the approval safeguards that you have incorporated? I suspect he is probably more worried about the wide political of presenting RHI to Assembly

M

From: Morelli, Emer
Sent: 15 January 2017 13:14
To: Scott, Michelle; Brennan, Mike
Subject: RHI Business case Janaury 2017 queries to DfE mb

Michelle

I have add in some further detail on the engagement with DfE on the VFM points pre November 2015 amendments and both VFM and affordability from December 2015. Grateful for your review against the engagement timeline. It is important to stress that in considering the November 15 amendment DoF was unsighted on any potential,

significant overspend against the AME modelling, indeed the business case submitted at that time advised that the proposal would support a sustainable VFM solution.

Many thanks once again for your work on this over the weekend period.

Mike

Subject to any final amendments, I am content that this version is sent to DSO for transmission to Snr Counsel.

Emer