

McCoy, Laura

From: Mills, John (DETI)
Sent: 28 January 2016 20:36
To: Wightman, Stuart
Subject: Re: RHI Timetable

Yeah, maybe tho' Chris seems to suggesting the gang ho approach

Sent from my BlackBerry 10 smartphone.

From: Wightman, Stuart
Sent: Thursday, 28 January 2016 19:31
To: Mills, John (DETI)
Subject: Re: RHI Timetable

John

Paul's advice is clear about the risks of not consulting. Could we still work to your timetable below if we tie the consultation to the Statutory Notice of Closure and not the legislation. We proceed with the process to get the legislation in place to give us the power to close. Alongside this, we would consult on the decision to close. This consultation could be 3 weeks followed by 1weeks consideration of responses . Subject to consultation responses, we issue Notice to close schemes with immediate effect.

Stuart

Sent from my BlackBerry 10 smartphone.

From: Mills, John (DETI)
Sent: Thursday, 28 January 2016 15:40
To: Stewart, Chris (DETI)
Cc: McCormick, Andrew (DETI); Wightman, Stuart; McCoy, Laura; Hill, Janice; McIlwrath, Linda; McIlwrath, Linda
Subject: RE: RHI Timetable

Chris,

Exactly, why would you not mitigate the risk if you could?

From: Stewart, Chris (DETI)
Sent: 28 January 2016 15:39
To: Mills, John (DETI)
Cc: McCormick, Andrew (DETI); Wightman, Stuart; McCoy, Laura; Hill, Janice; McIlwrath, Linda; McIlwrath, Linda
Subject: RE: RHI Timetable

John

Thank you. As you said, it makes no difference to the overall timetable whether we announce formally on 2 Feb or not.

C

From: Mills, John (DETI)
Sent: 28 January 2016 15:32
To: Stewart, Chris (DETI)

Cc: McCormick, Andrew (DETI); Wightman, Stuart; McCoy, Laura; Hill, Janice; McIlwrath, Linda
Subject: FW: RHI Timetable

Chris

Assuming no consultation and urgent procedure (see red and ignore black which is left in for reference). Two points – this can work faster but only as long as the upfront events over the next few days happen immediately. If not, there may be not that much advantage. As with the other timetable, depends on cooperation throughout system.

TIMELINES

- Week ending 29 Jan - Consult other Ministers with an interest ie DFP (requirement of Ministerial Code)
- Week ending 29 Jan - Receive DFP response. Send urgent procedure letter to OFMDFM
- Mon 1 Feb - Receive OFMDFM agreement
- Tues 2 Feb - Launch consultation (*N1 for 2 weeks - 3 weeks no longer feasible – increased legal risk*)
- Tues 2 Feb - Letter to ETI Committee. Announce closure (4 weeks) and SL1 to Committee
- Tues 9 Feb - Committee agrees SL1/Regulations layed
- Tues 16 Feb - Committee agrees regs
- Mon 15 Feb - Close consultation (*N2 Need a week to respond to consultation. Legal risk of sham consultation if insufficient time to consider responses*)
- Mon 22 Feb - SL1 to Committee (*N3 Committee insists on week's notice and would not move when we tried to shorten on previous RHI legislation*)
- Tues 23 Feb - Assembly passed closure regs
- Wed 24 Feb - Regs come into operation. Statutory notice of closure issued
- Thus 25 Feb - Executive Clearance of RHI paper (*N4 this event is now out of step. You want Exec clearance before you submit SL1 but there's no choice. You have to schedule SL1 and update later – Committee might reject*)
- Fri 26 Feb - Scheme closes (having given 4 weeks warning but only 2 day statutory notice)
- Tues 1 March - ETI clear SL1 and lay Regs (*N5 week gap between SL1 and clearance of Regs could, theoretically, be avoided but the whole system would have be cooperating – not feasible*)