

**FW: Questions for Arlene Foster**

Clive McFarland

Sent: 18 December 2016 15:06

To: Timothy Johnston

Arlene had come back earlier that she was happy with this reply. I hadn't sent to McBride yet though.

Good chunk of it is from the "RHI Facts" email that David provided the other night.

Clive McFarland  
DUP Press Office

Tel: 02890 654479

Mob: Personal information redacted  
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**From:** Arlene Foster [arlene@arlenefoster.org.uk]**Sent:** 18 December 2016 13:22**To:** Clive McFarland**Subject:** Re: Questions for Arlene Foster

Content

Sent from my iPad

On 18 Dec 2016, at 12:44, Clive McFarland <[clivemcfarland@dup.org.uk](mailto:clivemcfarland@dup.org.uk)> wrote:

**A DUP Spokesperson said, "Such questions are asked with the benefit of hindsight. At the time the scheme was being developed, there were external consultants engaged by the Department of Enterprise Trade and Investment as well as the Department's own specialist staff who worked on the proposals.**

**No recommendation ever came before the then Minister to introduce tiering and throughout Arlene Foster's period as Enterprise Minister there was an underspend in the scheme.**

**When the scheme was being launched the Chair of the Assembly's Enterprise Committee stressed the degree of scrutiny which the policy had undergone. In October 2012 he told the Assembly:**

**"The Committee scrutiny of the development of the renewable heat incentive has been considerable and reflects the importance and long-term nature of the proposals. Before supporting the RHI, the Committee sought and received assurances on incentive and tariff levels, banding levels, incentives for domestic customers, payments to participants and support levels for the renewable heat premium payment scheme".**

**The key failing at the heart of this saga is detailed in the NI Audit Office report of July 2016.**

**POL-00274**

**The Audi Office records that DETI incorrectly reported in the 2012 business case for RHI that there was no need to consider cost tiering controls "because the rate proposed was lower than the cost of fuel and therefore there would be no incentive to abuse the system by generating heat just to claim the subsidy".**

**This fundamental mistake informed the administration of the system for several years. It is ludicrous to blame any politician for this."**

Clive McFarland  
DUP Press Office

Tel: 02890 654479

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**From:** Arlene Foster [[arlene@arlenefoster.org.uk](mailto:arlene@arlenefoster.org.uk)]

**Sent:** 18 December 2016 09:15

**To:** Clive McFarland

**Cc:** Timothy Johnston; Richard Bullick; Simon Hamilton; John Robinson

**Subject:** Re: Questions for Arlene Foster

Off course theses questions have all the benefit of hindsight. At the time as I have said the decision was based on the recommendations from officials I would not have done anything different and it would be remembered that when I left Deti there was an underspend in the scheme. Up to 2015 when I left there there was no issue with HMT as there was an underspend.

Sent from my iPad

On 18 Dec 2016, at 08:50, Clive McFarland <[clivemcfarland@dup.org.uk](mailto:clivemcfarland@dup.org.uk)> wrote:

Sent from my iphone

Begin forwarded message:

**From:** Sam McBride <[Sam.mcbride@newsletter.co.uk](mailto:Sam.mcbride@newsletter.co.uk)>

**Date:** 18 December 2016 at 01:05:26 GMT

**To:** Clive McFarland <[clivemcfarland@dup.org.uk](mailto:clivemcfarland@dup.org.uk)>

**Subject:** Questions for Arlene Foster

Hi Clive,

**POL-00275**

Can I get a response to this today for Monday's paper?

When Arlene Foster brought the first RHI scheme to the Assembly in 2012, it was accompanied by a document which she signed.

She specifically signed a declaration that said: "I have read the Regulatory Impact Assessment and I am satisfied that the benefits justify the costs". That was signed by her - not by a civil servant.

The document is here - [http://www.legislation.gov.uk/nidsr/2012/9780337989193/pdfs/nidsrem\\_9780337989193\\_en.pdf](http://www.legislation.gov.uk/nidsr/2012/9780337989193/pdfs/nidsrem_9780337989193_en.pdf)

Yet the scheme she was signing off on had consciously removed the tiering and the spending cap in the GB system.

**Why did Mrs Foster not insist on the tiering and the cap being included?**

The document also makes explicit that "the target must be delivered within the agreed budget of £25m to 2015 provided by Her Majesty's Treasury". And it said that only £25m would come out of AME, adding that "additional funding post 2015 will need to be negotiated with DECC and HMT in due course".

Given that the budget was explicitly stated - in the document which Mrs Foster signed - to be finite, why did she sign off on a scheme which had no means to cap payments in order to stick within that budget?

Does the First Minister accept that she is personally responsible for signing off on a scheme which was so deficient?

Thanks,

Sam

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